

Oxford City Council

Response to Inspectors'

Matters

Issues and Questions

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Matter 1:
Procedural/
Legal
Requirements

Examination of the Oxford Local Plan 2040
Matters Issues and Questions Part 1
MATTER 1: Procedural/legal requirements

[Issue: whether the Council has complied with the relevant procedural and legal requirements](#)

PLAN PREPARATION AND SCOPE

Question 1: Has the preparation of the Local Plan been in accordance with the Local Development Scheme in terms of its form, scope and timing?

1. The Planning and Compulsory Purchase Act 2004 requires the preparation of a Local Development Scheme (LDS). The LDS for 2023-2028 (DPL.008) specifies which local development documents are to be development plan documents and sets out the council's work programme for the preparation of these. Since the adoption of the previous Local Plan (Oxford Local Plan 2036), there have been several changes to the LDS, which reflects changing circumstances and scope over time (consider further below). The 4 versions of the LDS that are of relevance are dated a) 2020-25 b) 2021-26 c) 2022-27 and d) 2023-28. These documents can be found online here: [Local Development Scheme \(LDS\) | Oxford City Council](#)

Form

2. The LDS states the Local Plan 2040 will replace the Oxford Local Plan 2036 (paragraph 3.3) when adopted to comprise the statutory Development Plan alongside the adopted Headington Neighbourhood Plan (July 2017), the adopted Summertown and St Margaret's Neighbourhood Plan (April 2019), the adopted Wolvercote Neighbourhood Plan (June 2021), and the Barton and Northern Gateway Area Action Plans (AAPs). In the LDS 2020-25 it was also identified that the Oxfordshire Plan 2050 would be prepared as a Development Plan document under Section 28 of the Planning and Compulsory Purchase Act 2004, to set strategic policies for Oxfordshire with a cross-boundary approach. It would have then informed the preparation of detailed policies in emerging Local Plans for each of the partner authorities. However, as this has been discontinued the Local Plan 2040 will set the strategic and detailed policies for the City.
3. In addition to those mentioned above, the proposed Local Plan 2040 will be supported by other documents, including the following:
 - The adopted West End and Osney Mead SPD (please see Matter 1, Question 5).
 - Technical Advice Notes
 - CIL Charging Schedule Review

- Infrastructure Funding Statement
 - Authority Monitoring Report
 - Local Development Scheme
 - Statement of Community Involvement
 - HMO Article 4 Direction (in force from 25 February 2012)
 - Assets of Community Value List
 - Self Build Register
 - Brownfield Register
 - Oxfordshire Infrastructure Strategy (OxLEP led partnership)
4. None of these documents will alter the overall status of the proposed Local Plan 2040 as a key document of the Development Plan for the City. The preparation of the Local Plan results in a document which identifies relevant policies to deliver objectives, in order to meet a clear vision for the future of the City of Oxford.
5. The plan is structure in the following way:
1. Vision
 2. Objectives
 3. Underpinning themes
 4. Policies
 5. Monitoring framework
- As such, the Local Plan 2040 identifies 6 key themes adapted from the three pillars of sustainability to be implemented in accordance with 120 policies. The plan is in a form that can be monitored in the associated Authority Monitoring Report.

Scope

6. The Oxford Local Plan 2020-2040 has featured in the LDS work programme since the adoption of the Local Plan 2036 in June 2020 when the scope of the Local Plan 2040 was originally identified. The scope of the Local Plan 2040 has been shaped by the issues identified throughout the plan preparation, of which there are two significant events that can be identified. Firstly, the Covid-19 pandemic presented challenges at the outset which needed to be considered through the plan preparation process, including for example changes to working arrangements. The original LDS 2020-25 identified that it would be important to respond in a properly considered way. Secondly, the scope of the Oxfordshire Plan 2050 emerged as being to look at the strategic issues for the County and to identify a suitable spatial strategy and levels of growth. The loss of this higher-tier plan did not largely alter the overall scope of the Local Plan 2040.

7. The resulting scope of the Local Plan 2040 is in accordance with the requirements of each updated version of the LDS. The Local Plan 2040 identifies a need to ensure the city will be a healthy and inclusive place, with strong communities that benefit from equal opportunities with access to housing, nature, employment, leisure and suitable healthcare. It also supports the creation of a strong cultural identity by respecting heritage, maximising opportunities to learn and enabling businesses to prosper. Research and development is supported, with a protected environment and more biodiversity. Having regard to the housing crisis, climate emergency and biodiversity crisis, the plan seeks to ensure resilience to climate change. The plan seeks to deliver against the following objectives:
- Oxford will be a healthy and inclusive city to live in.
 - Oxford will be a fair and prosperous city with a globally important role in learning, knowledge and innovation.
 - Oxford will be a green and biodiverse city that is resilient to climate change.
 - Oxford will be a city that utilises its resources with care, protects the air, water and soil and aims for net-zero carbon.
 - Oxford will be a city that respects its heritage and fosters design of the highest quality.
 - Oxford will be a liveable city with strong communities and opportunities for all.
8. To meet these objectives the Local Plan 2040 includes policies which allocate sites for residential development, employment development, strategic policies in respect of the environment, social and economic sustainability aims as well as more detailed development management policies. The result is a plan which comprises 120 policies that is appropriate in its scope, having regard to the evidence base and monitoring of the previous Local Plan, which is in accordance with the LDS (paragraph 3.6 on page 6 of the LDS 2023-28).

Timing

9. With regards to timing, the earliest iteration of the relevant Local Development Scheme (paragraph 3.8 on page 8 of the LDS 2020-25) identified that there was a need to commence with the preparation of a new Local Plan to ensure a new plan could be adopted within 5 years. There were several reasons for expediting the start of the review of the Local Plan, including a need to coordinate planning across Oxfordshire on matters such as housing need and to reflect the policies of the emerging Oxfordshire Plan 2050 with associated site allocations and more detailed policies. It was also identified that the Oxford Local Plan 2040 would need to be submitted for examination

in early 2024 with adoption in 2025 so that there would be 15 years left of the plan period. The timetable to submission set out from the beginning (please see for example paragraph 3.14-3.16 on page 9 of the LDS 2020-25) has been achieved.

10. Whilst the Issues consultation took place between June – September 2021, there was a slight delay to the Regulation 18 consultation due to the Oxfordshire Plan 2050 ending which resulted in the need for further evidence base studies to assess the housing need (please see Matter 2, Question 2 for a more detailed response on this point). The Regulation 18 Part 1 consultation took place between October – November 2022 and Regulation 18 Part 2 between February and March 2023. The Regulation 19 consultation was subsequently undertaken between November 2023 and January 2024 and the Plan submitted in March 2024. The revised timescales for the Regulation 18 consultations and Regulation 19 consultations are referenced in the current LDS (please see paragraph 3.7 on page 7 of the LDS 2023-28) although the consultation period for the latter was extended to 8 weeks into January 2024.

Conclusion

11. In conclusion, the Local Plan 2040 has been prepared in accordance with the various iterations of the LDS published since the start of its preparation. The plan is in a form which will assist in seeking to meet the vision for Oxford in 2040, grounded in the evidence and in a form which can be monitored. Moreover, the plan comprises 120 policies that is appropriate in its scope, having regard to the issues identified in the evidence base and arising from monitoring of the previous Local Plan. It has been prepared in accordance with the timescales identified in the original iteration of the LDS (with plan submission by early 2024). Therefore, the plan is in accordance with the relevant national policy and guidance, and relevant legislation including the Planning and Compulsory Purchase Act 2004.

Question 2: Have requirements been met in terms of the preparation of the Local Plan, notification, consultation and publication and submission of documents?

12. Engagement with local communities and other stakeholders has formed a key part of the development process for the local plan from the outset. There have been 4 main stages of consultation on the Oxford Local Plan 2040, as follows:
 - Issues Consultation (June-September 2021)
 - Preferred Options (Regulation 18) Consultation Part 1 (3rd October - 14th November 2022)

- Preferred Options (Regulation 18) Consultation Part 2 (13th February – 27th March 2023)
- Proposed Submission (Regulation 19) Consultation (10th November 2023 – 5th January 2024)

13. At each consultation stage, notifications and publicity were undertaken using digital and non-digital methods consistently in line with the standards set out in the SCI ([DPL.007](#)), discussed further in our response to Q3 below. Our primary mode of communication was direct notifications to all those on the City Council's database, which includes those involved in previous rounds of Local Plan consultation, statutory consultation bodies and duty to cooperate bodies, and residents' associations and interest groups (including area forums and residents' associations). Emails and letters were sent to individuals, groups or organisations that had not provided an email address.

14. Consultation notices were disseminated by other means, including:

- notices in the city council published "Your Oxford" newsletter,
- press releases and extensive local press coverage, and
- social media postings on a range of platforms.

15. A [Consultation Statement](#) (CSD.003) has been published to meet the requirements of Regulation 22 and contains specific details on the consultation materials and methodology utilised at each stage, the extent of outreach achieved by publicity, and a summary of how the received feedback was taken into consideration in shaping the submission draft.

Question 3: Has the preparation of the Local Plan complied with the Statement of Community Involvement?

Overview

16. The Statement of Community Involvement (SCI) published in June 2021 sets out the City Council's approach to involving the community and stakeholders when preparing planning policy documents. Paragraph 4.4 of the latest SCI ([DPL.007](#)) highlights that different levels of involvement "may be appropriate in different circumstances". One of the levels identified is information-sharing. The Council has provided this by ensuring that the Local Development Scheme (LDS) is updated where appropriate and the latest version (DPL.008) is referenced in response to Question 1. The other two levels of involvement identified are participation and consultation, both of which have been used in the consultation process.

17. The SCI contains a set of principles which seek to ensure that people will have the earliest opportunity to bring forward their ideas and to help shape proposals and what level of involvement would be expected. Table 1 within Appendix 1 of this document (DPL.007) details all of the consultation methods that the Council has used. It includes a list of statutory requirements which have all been complied with, including notifying all statutory bodies listed in the relevant regulations for each stage. This includes people who live, work or operate in the area, as considered appropriate by the City Council. It also includes all other groups, organisations and members of the public that had requested and given their consent to be on the Council's consultation contact database as set out in paragraph 3.4 of document DPL.007. Appendix 1 also contains a list of additional methods of consultation, some of which have been utilised at stages where it was deemed to be an effective method of consultation. More detail on these additional methods, where deployed, will be provided in the relevant consultation stage below, therefore demonstrating that the Council has delivered beyond the statutory requirement set out in the SCI.

Issues consultation

18. An Issues consultation was held between June and September 2021. This first consultation was not statutory, but at the earliest opportunity, the Council wanted to involve as many people as possible in the process of producing a new Local Plan. This additional stage reflects the expectations of paragraph 2.6 of the SCI (DPL.007) which states that, "*consultations should start as early as possible to give everyone the opportunity to participate and influence the development of policies and options for an area.*" It also exceeds what is expected in Appendix 1 of document DPL.007 but was incorporated into the project timetable because it was felt that early engagement would allow people the best opportunity to shape the plan before any policy approaches were drafted.
19. Restrictions relating to the Covid-19 pandemic were still in place during this consultation and chapter 3 of the SCI confirms that digital and online methods would be greater relied on to engage with the local community. The pandemic limited opportunities to meet people at events or to hold workshops and so on, therefore, social media was an imperative tool to let people know what was going on. We also took the step of arranging door-to-door delivery of a leaflet with easy to digest infographics and a questionnaire that could be returned using Freepost to encourage even more participation. The Council exceeded the expectations of the SCI by not only holding this additional stage of non-statutory consultation, but by trying to reach out to as many

people as possible using the methods listed above, which go beyond what is required for any statutory consultation as detailed in Appendix 1 of the SCI (DPL.007).

Regulation 18 Consultations

20. Two Regulation 18 consultations were held, which was necessitated by the timing of the collapse of the Oxfordshire Plan in August 2022. Part 1 of the Regulation 18 consultation was held for 6 weeks during October and November 2022. Section 4 of the Regulation 22 Consultation Statement ([CSD.003](#)) details the processes that were followed which complies with the requirements of Appendix 1 of the SCI (DPL.007). This included who was consulted, what consultation materials were used, where hard copies of the documents were held and the drop in events that were organised across the city at a variety of venues and held during different times of the day to enable as wide a range of people as possible to engage with the process. A full list of the events undertaken is published within Table 1 of CSD.003.

21. These drop-in events are further evidence of the Council going beyond the statutory requirements of the SCI by employing additional consultation methods that were thought to be effective for this stage of consultation. It was very important to the Council that early views were sought on emerging options and draft policies, and holding events which the community could participate in and share their views with us was essential to shaping the Plan. Part 2 of Regulation 18 was held for 6 weeks during February and March 2023. This was a more technical consultation dedicated specifically to the question of housing need. Similar consultation processes were applied as per Regulation 18 part 1 and the statutory requirement as outlined in Appendix 1 of document DPL.007, except in this instance, drop-in events were not held due to the technical nature of the consultation.

Regulation 19 Consultation

22. The Proposed Submission (Regulation 19) consultation occurred for eight weeks between November 2023 and early January 2024. This exceeds the statutory consultation period by two weeks to account for the Christmas holidays in 2023 and allow the public plenty of time to engage with and respond to the document. Section 2 of document CSD.003 outlines the consultation process that was followed which meets the statutory requirements set out in Appendix 1 of document DPL.007. Appendix 4 of document CSD.003 also includes a summary of the issues raised in the Regulation 19 consultation and the Council's response, with both hard and digital copies of this summary available. This meets the SCI requirements as set out in the fourth bullet

within the green box below paragraph 4.10 of document DPL.007, which states that this consultation summary report will be provided for on the Council's website.

Question 4: How does the Local Plan relate to Neighbourhood Plans and how would they be affected by the adoption of the Local Plan?

23. The emerging plan positively and effectively relates to existing and anticipated neighbourhood plans (NPs). The 'liveable city' is one of the overarching themes of this plan that informs the development of policies across the entirety of the plan. Among its objectives are the protection of community assets and an overarching spatial strategy setting out the type and location of development, both of which are within the remit of neighbourhood planning. As part of the way of achieving these objectives the plan contains policies that set out the role for neighbourhood plans, and directly empowers neighbourhood groups to influence key aspects of planning policy.
24. Policy S1 in the emerging Local Plan 2040 relates to an overall spatial strategy for Oxford and the presumption in favour of sustainable development. Material weight is given to policies within adopted NPs, whereby applications that are in accord with those policies will be approved subject to material considerations.
25. Policy S2 in the 2040 plan relates to the requirement for a comprehensive approach to design from the outset in the development of schemes and includes support for more detailed area specific guides. There is an emphasis on community and landowner involvement where such guides are produced, and there is explicit support for neighbourhood planning groups who may wish to produce their own design guides.
26. There are 3 extant neighbourhood plans in the Oxford City Council area:
 - Wolvercote (adopted June 2021)
 - Summertown & St Margaret's (adopted April 2019) and
 - Headington (adopted July 2017).
 - There is currently a plan in development covering the Littlemore Neighbourhood Area.
27. The approach taken by the council towards neighbourhood forums is proactive engagement from the outset that continues through the cycle of the development of the neighbourhood plan. For each neighbourhood plan there is an assigned planning policy officer that would serve as the point of contact with respect to guidance on policy matters. Regarding strategic matters such as housing need, housing requirement, conservation and heritage, and the management of green spaces, the objectives in the emerging 2040 plan do not deviate significantly from the extant 2036 plan. As such it is

expected that currently made NPs will not be prejudiced by the adoption of the emerging plan as the strategic approach will remain broadly consistent across the plan periods. Similarly, allocations contained in the emerging plan are consistent with the NPs. Where there is a conflict identified this will be resolved at the planning application stage, as appropriate.

Question 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?

28. The West End and Osney Mead SPD (DEV.002--DEV.005) was formally adopted by Oxford City Council on 16th November 2022, and is available on the City Council's website [here](#). The Statement of Public Consultation (published September 2022) also sets out the engagement process in the preparation of the West End and Osney Mead SPD in accordance with Regulation 12 of the Town and Country Planning (Local Planning) (England) Regulations 2012, and the adopted Statement of Community Involvement (SCI).
29. The SPD incorporates an overarching spatial framework and design guide (DEV.003 and DEV.004 respectively), and is intended to give detail to show how and where the relevant policies should be applied to development within the West End and Osney Mead area, to co-ordinate public realm improvements, infrastructure, design and movement across the area, as key sites are brought forward by developers over time. Of particular importance to the West End are the following policies:
- Policy WEAOF: West End and Botley Area of Focus
 - Policy SPCW5: Oxpens
 - Policy SPCW6: Nuffield Sites
 - Policy SPCW7: Osney Mead
30. The principal aim of the West End and Osney Mead SPD is to help ensure development takes place in a cohesive way that contributes to the wider vision for the area. The West End and Osney Mead is a large and sensitive area on the edge of the city centre, with a scale of development that was expected to straddle two plan periods.
31. Whilst the SPD will have been adopted prior to the adoption of the emerging Local Plan 2040, the City Council has considered the nature of the SPD and its relationship to the new Local Plan throughout the formulation of each of these documents (early work was underway on the Local Plan 2040 as the SPD was being prepared). This has helped to

ensure that the two pieces of work support and complement each other and that the SPD remains relevant by providing additional detail that will assist the implementation of the policies identified above. It will also assist in maintaining the consistent vision between the two local plans, which is proposed to be taken forward from the Local Plan 2036 into the emerging Local Plan 2040.

32. The relationship of the West End and Osney Mead SPD with the relevant policies is clear and appropriate. As with the other site allocations within the Local Plan, the policies include a high level of comprehensive detail which aims to provide more certainty to developers and local residents about the proposals and the considerations for a site, including details on the type of land use and/or mix of uses acceptable on a site as well as other key design and relevant policy considerations including having due regard to the West End and Osney Mead SPD.
33. The role of the SPD, including the spatial framework and design guide, is then to provide an additional layer of guidance, with the spatial framework setting out principles for development and strategies for individual aspects of development in the area, such as enhancing the green and blue network, public realm and movement which applicants should consider. The Design Guide adds more detail on what aspects to consider in design terms within these strategies in order to ensure high quality and cohesive design across the area which has been informed by the extensive contextual analysis of the area. The SPD as a whole helps to consider the area cohesively and ensure the various developments coming forward are set within an overarching framework.
34. There are no other extant SPDs and there are no SPDs currently proposed to assist the implementation of the Local Plan 2040, although whether there would be a benefit in introducing a new SPD in future will be kept under review.
35. Aside from SPDs, it is the Council's intention to continue to make use of Technical Advice Notes (TANs) to provide supplementary guidance to applicants around the interpretation and requirements of more technical policies within the Local Plan, in a similar manner to the suite of TANs that currently support the Local Plan 2036. Whilst the final list of TANs to support the Local Plan 2040 is not yet finalised, the Local Plan 2040 makes reference to several that are envisaged to be produced, including an Energy and Carbon TAN and a Green Infrastructure and Biodiversity TAN. These TANs will not establish new policy, but rather provide guidance to applicants in how they should meet the requirements of certain policies, or provide additional helpful information that can assist with completing an application.

Sustainability Appraisal

Question 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?

36. A combined Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA) has been undertaken at each key stage of the Local Plan’s development and published for consultation at its respective stage of engagement on the emerging work. The Council carried out these assessments in collaboration with its independent consultant (Levett-Therivel Sustainability Consultants) who also provided critical review throughout the process to ensure that the findings were as robust as possible.

37. Section 2 and particularly Table 2.4 of the Regulation 19 SA/SEA report (CSD.004a) shows the links between the plan-making stages and the SA/SEA stages, which are also summarised in the table below.

Table 6.1: Link between plan making stages and SA/SEA stage

Plan stage	SA/SEA stage	Date
Early engagement – Issues Consultation	SA/SEA scoping report (SUP.002) <ul style="list-style-type: none"> – Identified relevant policies/plans/programmes and SA objectives – Collected baseline context information, key sustainability issues/problems – Established the SA framework 	Consulted on July 2021
Preferred options (Regulation 18 – part 1) consultation	Sustainability Appraisal of Selected Policy Options for the Oxford Local Plan (CSD.013) <ul style="list-style-type: none"> – Assessed the impacts of plan options/alternatives as part of the development of the Local Plan Preferred Options consultation. 	Consulted on September 2022
Preferred options (Regulation 18 – part 2) consultation	Further SA work was not undertaken at this stage as the scope of appraisal for the Regulation 18 – part 1 stage encompassed the sustainability implications relevant to the part 2 consultation.	
Pre-submission (Regulation 19) consultation	Regulation 19 SA/SEA report (CSD.004a and CSD.004b) <ul style="list-style-type: none"> – Updates the initial scoping report 	Consulted on November 2023

	<p>– Assesses the impacts of the submission draft Local Plan 2040</p>	
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38. The SA/SEA process has informed the direction of the Local Plan development throughout the process, from identification of the sustainability context, policy context and key issues; to identifying and analysing options for policy responses; and ultimately to helping to fine-tune policies in the submission plan. At each stage, the reports were part of the suite of evidence that was published for consultation and feedback was taken on board as part of the drafting of the subsequent stage of work, which has helped to ensure that sustainability implications are considered as part of the iterative development of the Local Plan. Section 3.6 of the Sustainability Appraisal (CSD.004) discusses how previous consultation responses were taken into account and how they have informed the report.

39. The SA/SEA process was organized around an SA/SEA framework (one for policies and one for site allocations), which was developed at Section 5 of the scoping report, and is shown again at Section 3.5 of CSD.004a. The SA/SEA framework was used to appraise:

- the vision and six themes of the Local Plan (Section 4 of CSD.004a)
- a range of reasonable alternatives to inform the Regulation 18 stage (CSD.013 and Section 5 of CSD.004a); and
- the Local Plan policies and site allocations (Section 6 of CSD.004a, and CSD.004b).

40. In preparing the SA/SEA, officers used the appraisal process to assess sustainability impacts of the emerging policy and site allocation choices. The independent consultant not only helped with ensuring the reports themselves were in line with national guidance, but also took on the role of ‘critical friend’, reviewing the emerging assessments and analysis of officers and identifying impacts that officers may not have considered. Discussions were had over calls and email to ensure that the SA/SEA process helped to feed into and inform the emerging work at each stage of the Local Plan process.

41. Section 7 of the Regulation 19 Sustainability Appraisal (CSD.004a) and the appendix (CSD.004b), details how potential negative impacts of draft policies identified through the SA process were considered and mitigated through amends to policy wording in order to strengthen the Local Plan. For example: specifying the proportion of site area for self-building housing; making a clearer distinction between protection v. provision of green infrastructure; clarifying the policy on delivering mandatory net gains in

biodiversity; making clearer links between policies on climate resilient design and renewables; and adding mitigation measures to some site-related policies.

Question 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

42. Options and alternatives were identified and assessed in Summer/Autumn 2022, as part of the development of the preferred options (Regulation 18 Part 1). As detailed in response to question 6, additional SA appraisal was not undertaken for the Regulation 18 Part 2 consultation as the sustainability implications did not deviate significantly from what was considered within the scope of the consultation addressed within the part 1 appraisal.
43. This appraisal work is documented in the Sustainability Appraisal of Selected Policy Options Document (CSD.013). The alternatives appraisal also documents why no alternatives were considered for some policies, for instance because there is only one reasonable 'option', the options are similar to each other from a sustainability perspective, or all of the options are unlikely to have significant sustainability impacts. The draft policies were then reviewed again as part of the Regulation 19 Sustainability Appraisal process (CSD.004a) in order to check for any significant changes to the options and alternatives appraised at preferred options that would result in likely significant sustainability impacts warranting subsequent appraisal.
44. A summary of the approach for the topics in a-d of the question is set out below:
- a) Alternative scales of growth (housing requirements) are discussed at pp. 8-10 of CSD.013. The appraisal considered a capacity-based housing requirement (c.7852 dwellings 2020-2040); housing requirement based on identified housing need (ca. 14,580 dwellings 2020-2040); and housing requirement needed to support aspirations for economic growth. Section 5.2 of the Sustainability Appraisal document (CSD.004a) explains that the first alternative is preferred, because setting a requirement above assessed capacity risks unsuitable sites being developed, with potential sustainability impacts.
- b) Given Oxford's small area and the inherently sustainable nature of many locations within the city, coupled with the limited opportunities for development within the city

boundaries, the plan and SA/SEA have not explicitly considered the distribution of housing as is common in other areas. The Local Plan's strategy is to support delivery of housing in all parts of the city where appropriate, given the need to maximise delivery (e.g. Local Plan Objectives and Strategy CSD.001). They have, however, carefully considered the location of new employment uses at pp. 19-21 of CSD.013 and Section 5.6 of CSD.004a: whether new employment uses should be provided only on existing employment sites and in city/district centres, or also on other sites, or whether there should solely be reliance on national policy and other policies in the plan. Section 5.6 of CSD.004a explains that a combination of these options has been chosen, including allowing an element of housing on employment sites. In relation to other locational policies of relevance, such as student accommodation, the sustainability implications of different options were considered as part of the initial high-level assessment of policy options presented at preferred options stage, however, an in-depth assessment of alternatives was scoped out in line with the methodology that is set out under the response to question 8.

- c) The process of selecting allocation sites is described in Section 5.11 of CSD.004a as well as the site selection background paper (BGP.015a and BGP015b) and covered in more detail in our responses under matter 3. It involved a tiered approach to inform the process of testing an initial list of 470+ potential sites identified from a range of sources. This was an important process in helping to ensure that all possible sites in the city were considered thoroughly for their potential to accommodate development. In the first stage of testing, sites with clear conflicts with national policy and/or insurmountable environmental or physical constraints were excluded. The potential sites for allocation were then subjected to further assessment across two more stages of analysis. Sustainability Appraisal formed an important part of the process as the list of potential sites were refined, ensuring that sites were assessed for their wider suitability against the SA objectives and for any potential negative sustainability impacts of their allocation. 84 sites were subjected to further detailed assessment including Sustainability Appraisal against the SA framework and ultimately included at Preferred Options consultation. Subsequently, 50 sites were then included for allocation as part of the Regulation 19 consultation Local Plan, this was after they had been re-appraised against the SA framework (and updated with any more recent information about the site where needed) alongside additional urban design assessment to help inform detail of the allocation policy. The potential site allocations in the Regulation 19 Local Plan are appraised at Section 6.3 of CSD.004a - the detailed SA site assessments completed for each allocation can also be located via the link in that section (page 56). Reasoning for sites not taken forward from the wider list identified at Preferred Options to site allocation are also set out in that section.

d) CSD.013 also identifies and appraises other policy approaches, and reasons for the choice of preferred alternatives are explained in Section 5 of CSD.004a. These other policy approaches, which were screened in for detailed assessment due to varying sustainability implications of the options, include: approaches to greenfield sites, houses of multiple occupation, allowing housing on existing employment sites, delivering mandatory net biodiversity gains, and motor vehicle parking design standards.

45. As well as in the detail of the Sustainability Appraisal of Selected Policy options report itself, the high-level findings from the Sustainability Appraisal process were incorporated into the narrative of the Preferred Options consultation document (PCD.021 - PCD.028) to help inform responses. Feedback from the consultation was then incorporated into the drafting of the Regulation 19 draft Local Plan, with specific comments on the SA captured within the Regulation 19 Sustainability Appraisal (CSD.004a) and responded to (Section 3.6).

8. Were all reasonable alternatives considered?

46. Yes, all reasonable alternatives were considered. The Sustainability Appraisal of Selected Policy Options Document (CSD.013) sets out the approach taken to identify and consider alternatives.

47. The sustainability implications of alternatives were considered for all of the plan policies as part of an initial high-level assessment which took a holistic over-arching approach to assessment of the policies. There were a number of policies which were not carried forward to full appraisal against the SA framework because there was either: only one reasonable 'option'; or the options available were very similar to each other from a sustainability perspective (and as such testing them independently was not necessary); or the options were all unlikely to have significant sustainability impacts. The Sustainability Appraisal of Selected Policy Options (CSD.013) details the result of this initial scoping assessment and sets out a refined list of policies with alternatives carried forward for full appraisal against the SA/SEA framework.

48. At Regulation 19 stage, the work from the previous SA was revisited for the Sustainability Appraisal (CSD.004a) to determine whether significant changes had arisen in the formulation of the draft Local Plan that could have likely significant impacts on sustainability. The appraised alternatives were also revisited and accompanied by an

explanation as to reasoning behind the preferred approach taken by the Council based upon the appraisal findings.

49. The process taken for site allocations is detailed in Section 5.11 of the Sustainability Appraisal (CSD.004a) and summarised in the response under question 7. It sets out how a multi-staged process helped inform the Council in determining the list of sites included at the preferred options stage and subsequently the specific site allocations included within the Regulation 19 Local Plan.
50. The Council considers that the methodology set out above is in line with the legal requirements for SA/SEA and has ensured that all policies with reasonable alternatives were appropriately assessed.

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

51. The Council has undertaken SA/SEA in line with the legal requirements at each stage of the Local Plan process. Table 2.2 of the Sustainability Appraisal (CSD.004a) details how these requirements have been met.
52. Table 6.3 of the Sustainability Appraisal (CSD.004a) summarises the overall sustainability impacts of the Local Plan, and its cumulative impacts with other plans, projects, and underlying trends. Section 7 of CSD.004a shows how the SA/SEA process has influenced the development of the Local Plan. Both of these are particularly transparent, best practice approaches that are evidence of a rigorous, critical appraisal process that has influenced the plan-making process. The methodology is legally compliant with national policy and legislation in all respects.
53. Whilst seeking to ensure that the process is aligned with the legal minimum requirements, the Council has sought to produce a concise and effective report which is supported by a number of background/topic papers as listed in Section 3.3 of the Sustainability Appraisal (CSD.004a). These focussed papers provide additional contextual information on key topics (such as Housing Need; Oxford's Economy; Green Infrastructure; and Carbon Reduction) in order to reduce repetition in the over-arching SA reports, including the relevant policy context; current situation in city; and the likely future without a new Local Plan. The most recent iteration of these are those that accompanied the Regulation 19 consultation (005 BGP – Background Papers). These papers were referred to in the main Sustainability Appraisal (CSD.004a - section 3.3) and

made easily accessible in the evidence base alongside the main SA/SEA report for respondents to find during the consultations.

54. The findings from the SA process were published in reports that were made available at each stage of consultation for respondents to consider and feedback on alongside the wider evidence base, as is set out in response to question 6. Beyond simply producing reports for consultation, however, the ongoing SA process has been treated as an exercise to test assumptions and iteratively strengthen the proposals within the Local Plan in combination with wider consultation feedback at each stage. In this way, it has helped to inform the policy choices made in the Regulation 19 Local Plan and to strengthen the proposed policy approaches throughout.

Habitats Regulations Assessment

Question 10: When and how was the Habitats Regulations Assessment (HRA) for the Local Plan carried out and reported?

55. A Habitat Regulations Assessment (CSD.005a-c) was carried out to inform the Oxford City Local Plan 2040. This is because, of the three European sites within 20km of the city, following a high-level desk-based assessment, Oxford Meadows SAC was ‘screened in’ to the assessment process.

56. The Habitat Regulations Assessment (CSD.005a-c) was produced during the plan making process. The Habitat Regulations Assessment (HRA) was carried out to support the submitted Local Plan 2040. The HRA consisted of two stages - Screening and Appropriate Assessment. Both stages of the HRA informed the plan-making process.

57. The following documents comprise the HRA:

Table 10.1 – Stages of HRA undertaken to support the Oxford Local Plan 2040

HRA Document	Plan-production stage informed by the document
HRA Stage 1 Screening (September 2023)	Proposed Submission Plan
HRA Stage 1 Screening Air Quality Addendum (November 2023)	Proposed Submission Plan
HRA Stage 2 Appropriate	Proposed Submission Plan

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Assessment (January 2024)	
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58. The table above shows which plan-production stage was informed by each document. Work undertaken to inform each HRA Stage document supported the production of the Proposed Submission Document. For instance, the Stage 2 – Appropriate Assessment (CSD.005c) (January 2024) documented that the HRA process had informed the plan-making process.

59. The Stage 2 – Appropriate Assessment was undertaken as it was not possible to rule out a conclusion of “no likely significant effects” at the Stage 1 - Screening (CSD.005a) (September 2023) for certain policies that related to the following conservation objectives:

- Recreational impacts
- Balanced Hydro-geological regime/ water quality

60. In fact, policy wording was included in the Local Plan 2040 to specifically mitigate potential impacts on the Oxford Meadows SAC associated with these conservation objectives. The following table sets out where wording was included in the Plan to mitigate likely significant effects of policies in the plan.

Table 10.2: Mitigation measures proposed as part of the plan to address likely significant effects on conservation objectives at Oxford Meadows SAC

Conservation objective	Policy/ Paragraph reference	Text Added	Justification
Recreational impacts	SPN1 Northern Gateway	“The southwest part of the site (Canalside and Goose Green Close) lies less than 500m from the internationally protected Oxford Meadows Special Area of Conservation (SAC). To help protect this site from recreational pressure, a minimum of 15% publicly accessible green open space for the enjoyment and benefit of residents should be provided onsite as part of any residential development in this part of the Northern Gateway. Unless the proposal can demonstrate	The allocation of dwellings at Goose Green are close to an existing access point to the Oxford Meadows SAC. Policy SPN1 therefore provides mitigation in the form of policy wording, that a higher level of public open space provision

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		that the development is not likely to have a significant effect on the Oxford Meadows Special Area of Conservation, the application will be subjected to appropriate assessment under the Habitats Regulations and permission will be granted only if it is ascertained that the development will not adversely affect the integrity of that Special Area of Conservation.”	should be provided for this part of the site.
Recreational impacts	SPCW4 – Canalside Land, Jericho	“Development proposals should be accompanied by an assessment of potential recreational pressure on the immediate setting including the canal towpath and the Oxford Meadows SAC that may arise from increased numbers of visitors, along with plans to mitigate this impact as necessary.”	The allocation of dwellings at Canalside Land, Jericho is close to an existing access point to the Oxford Meadows SAC. Given the constrained nature of this site and its proximity to the Oxford Meadows, an assessment of recreational at the Oxford Meadows SAC was included to support this site allocation.
Balanced Hydro-geological Regime	Policy G6	“Development will not be permitted that would have an adverse effect on the integrity of the Oxford Meadows Special Area of Conservation (SAC) or an adverse effect on any Site of Special Scientific Interest (SSSI).	A wide range of circumstances need to be covered by this approach (including ensuring that certain employment sites (e.g., Category 2 sites), that do not benefit from bespoke allocations.
Balanced Hydro-geological Regime	Paragraph 4.39	Areas of the city are potentially vulnerable to changes in hydrology that could arise from development and these impacts will need to be fully considered and mitigated where	This supporting text supports policy G6 above.

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		<p>relevant. For example, Oxford Meadows SAC is potentially sensitive to changes in groundwater flows stemming from development on the North Oxford gravel terrace and new subterranean development on the gravel terrace will need to demonstrate through a hydrogeological assessment that there will be no significant adverse effect upon the integrity of the SAC through changes to groundwater flows.</p>	
Water Quality	Policy G8: Sustainable Drainage Systems	<p>All development proposals will be required where feasible to manage surface water through Sustainable Drainage Systems (SuDS).</p> <p>SuDS must be designed in a way that incorporates reuse, infiltration, retention or conveyance methods which utilise natural, green and blue infrastructure rather than unnatural, artificial components. Below ground features such as pipe systems or underground attenuation tanks will not be permitted, unless exceptional site conditions justify an alternative approach which has been agreed with the Council. Multi- functionality of SuDS should be maximised in their design, such as where they are incorporated into public open space.</p> <p><i>... [remainder of policy not duplicated here]</i></p>	<p>The inclusion of Policy G6 alongside Policy G8 – Sustainable Drainage Systems (SuDS), (which require that SuDS are implemented for all development proposals), means that it is unlikely that that the policies in the Oxford Local Plan 2040 will have a significant adverse effect on the integrity of the Oxford Meadows SAC with regard to this ensuring the water quality of groundwater that is recharged within Oxford is maintained.</p>

61. In conclusion, the HRA process reported at the appropriate stages to influence plan preparation with appropriate information based on the available data, in accordance with national policy, guidance and legislation. The HRA Screening CSD.005a (September 2023) considers 3 SACs within 20km. Oxford Meadows SAC, Cothill Fen and Little Wittenham. An HRA Stage 1 Air Quality Addendum (CSD.005b) (November 2023) was

produced to document the potential impacts likely changes in air quality at the Oxford Meadows SAC associated with road traffic emissions as a result of the Local Plan 2040. This document concluded that significant effects on the air quality at the Oxford Meadows SAC would be unlikely both alone and in combination with other.

Question 11: Was the methodology appropriate and robust, and is the evidence sufficiently clear to justify the conclusions?

62. The City Council has followed an appropriate methodology in undertaking all aspects of the Habitat Regulations Assessment (HRA) to inform the Local Plan 2040. Oxford City Council's HRA was published in three reports that documented two stages of the HRA process:

- HRA Stage 1 Screening (September 2023)
- HRA Stage 1 Screening Air Quality Addendum (November 2023)
- HRA Stage 2 Appropriate Assessment (January 2024)
- N.B. there are two further stages of the HRA process which have not been necessary in this case, as set out below

Stage 1 Screening (September 2023)

63. Firstly, the HRA Screening (CSD.005a) as required by the regulations, identified those 'European' sites within 20km of Oxford which could possibly be affected by the city's Local Plan 2040. There are three sites of this type: Oxford Meadows SAC, Cothill Fen SAC, and Little Wittenham SAC, these are identified at Table 2.1 of CSD.005a which also provides a description of the reasons for designation. Of the three sites, Cothill Fen SAC and Little Wittenham SAC were screened out. The reasons for this are set out at paragraphs 2.5 and 2.6 of CSD.005a but in brief are as follows:

- Cothill Fen has 4 conservation objectives – high water table, calcareous base-rich water supply, minimal air pollution and recreational impacts. It lies in a relatively remote location, over 7km from the city boundary and with limited accessibility other than by car. These factors, combined with the wide range of alternative options available to Oxford residents for recreation, it is considered that the more localised effects of potential air quality or recreational impacts are unlikely to be significant. It also lies entirely within a different river catchment and so it is considered that there is unlikely to be significant impacts on the water-related objectives. For these reasons it was screened out.
- Little Wittenham has a number of conservation objectives, some of which relate to site management which will not be affected by the Oxford Local Plan; and 2 others – management of water quality and levels to support the ponds; and recreational pressure. Whilst the water levels are part of the river Thames

network and are controlled by locks and weirs, impacts resulting from the Oxford Local Plan are considered unlikely to be significant. For the same reasons as with Cothill Fen above, the potential recreational pressure from the Oxford Local Plan is also unlikely to be significant. For these reasons it was also screened out.

64. The Oxford Meadows SAC however was screened in and looked at in more detail for the later stages of the HRA process. Paragraphs 2.7-2.14 of CSD.005a set out in more detail the approach to be taken to HRA screening for the Oxford Meadows including the additional advice, assessments and guidance available on the Oxford Meadows from Natural England. The screening report set out an overview of each of the conservation objectives and provided an initial assessment about the likely significance of any potential effects that the Oxford Local Plan could have at the Oxford Meadows SAC, in relation to each conservation objective. There are 4 conservation objectives identified:

- Air quality;
- Balanced hydrological regime;
- Water quality; and
- Recreational impacts.
-

65. The national guidance also sets out The City Council took this approach as set out in National guidance¹ on HRA published in 2021, that the risk or possibility of a significant effect should be based on evidence, rather than being a hypothetical risk.

66. The Screening Assessment then looked at the proposed submission policies and site allocations. Based on advice from Natural England the following schedule (paragraph 2.42 CSD.005a) was used to screen out the proposed policies of the Local Plan with no negative effect, from further appraisal.

Table 11.1: Policies of the Plan screened out as no negative effect

Category Rating	Effects of the Plan
A	Policies or proposals cannot have any negative impact
B	Effects will be addressed in assessments 'down the line' include project assessment under Regulation 402
C	Could have an effect, but would not be likely to have a significant (negative) effect (alone or in combination with other plans and projects)

¹ <https://www.gov.uk/guidance/habitats-regulations-assessments-protecting-a-european-site#take-a-precautionary-approach-to-decisions>

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D	Likely to have a significant effect alone and would require an Appropriate Assessment
E	Likely to have a significant effect in combination with other plans or projects and which require Appropriate Assessment of those combinations
F	Likely to have a significant effect, alone or in combination with other plans or projects, but which would not adversely the integrity of a European site
G	Likely to have a significant effect, alone or in combination with other plans or projects, and for which it cannot be ascertained that they would not adversely affect the integrity of a European site.

67. An assessment was undertaken in detail which considered the potential likely significant environmental effects of the emerging plan. The majority of the policies in the plan were screened out using this assessment process. The potential impacts of each site allocation policy were considered having regard to the relevant conservation objectives and considered a number of factors, such as the proximity of each site to the Oxford Meadows SAC.

68. The HRA Screening (CSD.005a) concluded that for some policies of the Local Plan it had not been possible to rule out the likelihood of significant effects at the Oxford Meadows SAC on the following conservation objectives:

- Water Quality – policy options and sites identified at Table 2.3 would be taken forward to Stage 2 Appropriate Assessment; and a policy approach has been developed to address this issue in the Oxford Local Plan 2040
- Balanced Hydrological Regime – policy options and sites identified at Table 2.3 would be taken forward to Stage 2 Appropriate Assessment and a policy approach has been developed to address this issue in the Oxford Local Plan 2040;
- Increased recreational pressure - it was agreed with Natural England that dog fouling was more of a threat to the protected plants on Oxford Meadows SAC than trampling and so that issue specifically would be taken forward to Stage 2 Appropriate Assessment
- With regards to Air Quality, as set out at paragraph 2.49 of CSD.005a, at the time of writing the screening report, traffic modelling had been commissioned but had not yet reported back fully. As such, the air quality impacts of the whole plan were considered separately as part of the Air Quality Screening Addendum (CSD.005b) dated November 2023.

Stage 1 Screening Air Quality Addendum (November 2023)

69. It was important to the City Council that additional work was carried out on the potential impacts on air quality in order that the HRA requirements were fulfilled. In

this additional screening assessment, the City Council followed Natural England's current published advice (June 2018), entitled *Natural England's approach to advising competent authorities on the assessment of road traffic emissions under the Habitat Regulations (NEA001)*² (hereafter "NE Air Quality Advice Note") as its key guidance on process and methodology. In addition, the process was also agreed verbally with Natural England at meetings in March and June 2023.

70. Below is a summary of that work, it is published in full as CSD.005b. The NE Air Quality Advice Note sets out clear steps about how to undertake an air quality assessment to support the HRA process. This is considered to be a robust methodology for undertaking air quality assessments in support of the HRA process; it is a well-known and accepted method which the City Council accurately followed when undertaking the air quality screening assessment for the Oxford Local Plan 2040.

These five steps are as follows:

- Step 1: Does the proposal give rise to emissions which are likely to reach a European site?
- Step 2: Are the qualifying features of sites within 200m of a road sensitive to air pollution?
- Step 3: Could the sensitive qualifying features of the site be exposed to emissions?
- Step 4: Application of screening thresholds
 - Step 4a: apply the threshold alone
 - Step 4b: apply the threshold in combination with emissions from other road traffic plans and projects
 - Step 4c: apply the threshold in combination with emissions from other non-road traffic plans and projects
- Step 5: Advise on the need for appropriate assessment where thresholds are exceeded, either alone or in combination

Steps 1-3

71. Steps 1-3 indicated the potential to give rise to emissions which are likely to reach a European Site (as had been the case in previous HRA work to support the 2036 Local Plan). This is because in places the A34 dual carriageway passes through and very near to SSSI units that make up the Oxford Meadows SAC. This information is set out in

² <https://publications.naturalengland.org.uk/publication/4720542048845824>

section 3 of the Air Quality Screening Addendum (CSD.005b) and Paragraphs 2.16-2.18 of the HRA Screening (CSD.005a).

Step 4

72. Step 4 of the NE Air Quality Advice Note involves the application of the screening thresholds both alone, and in combination with other road and non-road plans and projects. The first step (4a) in this process is to apply the screening thresholds 'alone'. Paragraphs 4.28-4.30 of the NE Air Quality Advice Note sets how to do this, and the City Council followed this advice when undertaking the transport modelling to inform the Air Quality Screening Addendum.

73. The transport modelling undertaken to support the amount of development proposed in the Oxford Local Plan 2040 showed an increase of 274AADT for the relevant section of the A34 and of 15AADT for the relevant section of the A40 due to the additional planned growth in the Oxford City Local Plan 2040. Paragraph 4.29 of the NE Air Quality Advice Note states:

If the predicted change in traffic flow is less than 1000AADT (or the level of emissions is <1% of the critical load/ level), the associated emissions are not likely to have a significant effect alone, but risk of in-combination effects should be considered further (go to step 4b/c)

74. As such the City Council proceeded to Step 4b: applying the threshold in-combination with emissions from other road traffic plans and projects. There was one road traffic project which was undertaken by the County Council that had had undergone an HRA work as part of its production and thus needed to be considered in combination. The County Council's Traffic Filters are part of the Central Oxfordshire Travel Plan and Oxfordshire's Local Transport and Connectivity Plan. The intention is that traffic filters limit through-traffic along a small section of road when travelling by certain modes of transport. The County Council had commissioned a Stage 2 Appropriate Assessment on this project from Atkins to inform this workstream³. This work concluded that due to changes the reductions in background NOx concentrations between 2019 and 2024 shown at Table 3.7 of that report (and reproduced below), the impact of the Traffic Filters, both 'alone' and 'in combination' will be lower than the 2019 base year, and therefore the Oxford Meadows SAC will be exposed to lower levels of air pollution than it currently does.

Table 11.2: Background NOx Concentrations within Oxford Meadows SAC, µg/m³

³ <https://www.oxfordshire.gov.uk/residents/roads-and-transport/connecting-oxfordshire/oxford-traffic-filters>

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1km Grid Squares covering Oxford Meadows SAC	2019	2024
448500, 210500	21.4	17.3
448500, 209500	21.3	17.1

75. The County Traffic Filters HRA Report considered that the background NOx concentrations were reducing over time due to the expected future reduction in emissions associated with a cleaner vehicle fleet. The implications of the County’s Traffic Filters were considered ‘in-combination’ with the Oxford Local Plan at paragraphs 4.4-4.5 of the Air Quality Screening Addendum (CSD.005b).

76. The final screening step in the NE Air Quality Advice Note, 4c, involves the application of the screening thresholds with other ‘live’ non-road plans and projects at the same time the assessment is being undertaken. Paragraph 4.44 of the NE Air Quality Advice Note is clear that “assessment” in this context, refers to the in-combination screening assessment. This refers to for example the Local Plan work of neighbouring authorities. More information on the stages of those Local Plans is provided at Question 14 below, however in summary, at the time the in-combination screening assessment for the Oxford Local Plan 2040 was undertaken, the local plans from the surrounding districts were all at a very early stages of plan-making. National guidance on HRA⁴ sets out that when assessing the likely significant effects of a proposal at the screening stage, a check should be undertaken to see if there is a risk or possibility of a significant based on the evidence. Only real, not hypothetical risks should be considered.

77. In the HRA Screening Addendum (CSD.005b) the City Council took a precautionary approach as even though the Cherwell Local Plan was not well advanced, it acknowledged the HRA work undertaken by AECOM on behalf of Cherwell District Council. The Cherwell HRA⁵ work used the conclusions drawn from the County HRA work supporting the traffic filters project, which showed improvements in background concentrations of NOx. Table 5 and paragraphs 4.40-4.42 of the Cherwell HRA show that there are reductions from all sources Nitrogen, this is reproduced below.

Table 11.3 Air quality modelling results for transect T4 at 10.33m from the SAC showing oxides of nitrogen, ammonia and combined nitrogen deposition

Pollutant	2019	2040	2040 DM	2040 DS	DS-DM	DS-FB	Over	1% of
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⁴ <https://www.gov.uk/guidance/habitats-regulations-assessments-protecting-a-european-site#screening>

⁵ <https://www.cherwell.gov.uk/info/112/evidence-base/848/local-plan-review---environmental-and-energy-evidence/8>

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	Baseline	Future Baseline					Critical Load	Critical Load Test
NO _x (µg/m ³)	193.90	67.06	77.62	58.91	-18.71	-8.15	Yes	No
NH ₃ (µg/m ³)	8.86	9.65	11.08	8.49	-1.16	-1.16	Yes	No
Nitrogen Dep. (kg N/ha/yr)	65.20	61.01	69.12	54.57	-14.55	-6.51	Yes	No

78. Table 11.3 shows that the forecast changes are negative. This means that there is a likely positive effect on air quality within the boundaries of the SAC as a result of both the Cherwell Plan 'alone' (DS-DM change) and 'in-combination' (DS-FB) with other plans and projects.

79. As a result of this addendum screening of potential air quality impacts, the City Council concluded that the Oxford Local Plan was not likely to have a significant impact on the integrity of the Oxford Meadows SAC either alone or in-combination with other plans or projects in relation to Air Quality. This meant that the conservation objectives of Water Quality, Balanced Hydrological Regime and Recreational Pressure were the only remaining objectives taken forward to the next stage. On completion of the Stage One: Screening, the City Council proceeded with Stage Two: Appropriate Assessment. This work is published in full as CSD.005c but a summary of the approach and key findings are set out below.

80. Stage 2: Appropriate Assessment (January 2024) The City Council met with Natural England early in the HRA process to discuss the proposed approach to Appropriate Assessment. The City proposed basing the work on the steps previously used in Appropriate Assessment on the 2036 Local Plan, these had proved successful and the circumstances and guidance available had not changed in the intervening period. Natural England agreed to the City proceeding on that basis.

81. The three screened-in conservation objectives for the Oxford Meadows SAC and the screened-in policies of the Local Plan were taken forward into the Stage 2: Appropriate Assessment. These are summarised in Table 1.2 of CSD.005c with the same approach taken for the screened-in site allocations at Table 1.3. The Appropriate Assessment then addresses each of the conservation objectives for potential impact in more detail and in turn.

82. On Hydrological Regime, the approach is detailed at section 3 of CSD.005c. In brief, the key issue was found to relate to ground water flows, the potential for the policies of the Local Plan to interfere with groundwater flows was the relevant factor that needed to be addressed. As the AA states at paragraph 3.7, a precautionary approach was taken which assumes ground water flows in the direction indicated on the map at Figure 3.1. It was considered that a general policy approach was best suited to provide mitigation in this regard. As such wording was included at Policy G6 as follows: *“Development will not be permitted that would have an adverse effect on the integrity of the Oxford Meadows Special Area of Conservation (SAC) or an adverse effect on any Site of Special Scientific Interest (SSSI)”*. Natural England have confirmed that they are happy with this approach and that policy wording; more details can be found in the Statement of Common Ground with Natural England (COM.007). The City Council is therefore confident that the steps taken in the assessment and the proposed conclusions and mitigation measures included in the Local Plan are justified and appropriate.
83. On Water Quality, the approach is detailed at section 4 of CSD.005c. In brief, the key issue is the quality of water flowing through the watercourses towards the SAC. As the Appropriate assessment found that a range of policies (some strategic in nature) had the potential for impact in this area, that a general policy approach in the Local Plan would be appropriate. As such Policy G8 on Sustainable Drainage Systems (SuDS) was proposed. This approach would ensure that all development proposals would manage surface water flow through sustainable drainage systems where feasible. Natural England have confirmed that they are happy with this approach and that policy wording, more details can be found in the Statement of Common Ground with Natural England (COM.007). The City Council is therefore confident that the steps taken in the assessment and the proposed conclusions and mitigation measures included in the Local Plan are justified and appropriate.
84. On recreational impacts, the approach is detailed at section 2 of CSD.005c, in brief, the key issue is that the protected plant species on the Meadows is sensitive to dog fouling, but not especially to trampling. Previous HRA (2036 Plan) work on this issue focussed on projecting the likely levels of increased visitor numbers to the Meadows resulting from the development proposed in the Plan. A previously agreed methodology was discussed with Natural England (based on best-practice from elsewhere) to assess this. Natural England agreed that a visitor survey which had been carried out for plan development work in Oxford 2017 was still relevant and could be relied on, together with the previously agreed methodology for projecting future visitor numbers (from the increased population resulting for development proposed in the 2040 Local Plan) on

that basis. This is presented at Table 2.3 of CSD.005c. This method calculates that projected future visits as a percentage of the current is a very small increase. Nonetheless a precautionary approach was taken, and to mitigate this potential impact, sites within a 500m walk of the SAC and with proposed uses where there is a reasonable expectation that the new population could include dog owners (excluding student accommodation for example), were considered for appropriate mitigation measures. These are set out in detail at section 2 of CSD.005a. One such site allocation policy was Policy SPCW4: Canalside Land, Jericho. Natural England have confirmed that they are happy with this approach and that policy wording, more details can be found in the Statement of Common Ground with Natural England (COM.007). The City Council is therefore confident that the steps taken in the assessment and the proposed conclusions and mitigation measures included in the Local Plan are justified and appropriate.

85. The conclusions of the Stage 2: Appropriate Assessment work is that those three scoped-in conservation objectives can be dealt with through mitigating measures as included in the draft Local Plan and as such the later stages of the HRA process (Stage3: assessment of alternatives and Stage 4: assessment where no alternative solutions remain and where adverse impacts remain) are not required. Natural England have confirmed this conclusion.
86. There is one outstanding issue with Natural England regarding potential in-combination impacts on air quality, this is addressed in response to later questions in this matter.

Question 12: What issues were raised by Natural England and how have these been addressed/resolved?

87. The Habitats Regulations Assessment was carried out as part of the preparation of the proposed submission plan. Therefore, it informed the emerging vision, objectives and policy in advance of formal publication of the draft plan. The City Council met with Natural England several times prior to the Regulation 19 consultation stage to discuss the approach to HRA (including transport modelling). These meetings took place in March and June 2023 and their focus was on the emerging policies and the approach to the HRA.
88. The Council explained that it would be undertaking transport modelling in line with the approach taken in the previous HRA (undertaken to support the production of the

adopted Oxford Local Plan 2036). In the June 2023 meeting Natural England agreed with that approach proposed by the City Council. The Council proceeded to commission the modelling in accordance with Natural England's published standing advice in the NE Air Quality Advice Note.

89. The City Council produced an Air Quality Screening Addendum (CSD.005b) to support the Regulation 19 draft Local Plan consultation which ran from November 2023 – January 2024. This looked at the potential impact of development within the city's Local Plan 2040 alone and in-combination with other plans and projects on air quality at the Oxford Meadows SAC. The City Council undertook the assessment and prepared the Air Quality Screening Addendum in line with the most up-to-date advice and national guidance.

Issues Raised at the Regulation 19 Stage

90. As part of their response to the Regulation 19 consultation, Natural England raised three main issues (two of which were interlinked and have been since resolved) these issues were:

1. Concerns about potential Hydro-geological impacts and recreational impacts on the Oxford Meadows SAC
2. Concerns about air quality impacts on the Oxford Meadows SAC, particularly in-combination with other Plans and projects in this area

Concerns about Hydro-geological and recreational impacts

91. The HRA Stage 2 Appropriate Assessment (CSD.005c) informed the plan-making process. Mitigation measures proposed in the form of policy wording (see table 10.1 above for details) resolved Natural England's concerns raised through their Regulation 19 response about potential Hydro-geological and recreational impacts at the Oxford Meadows SAC. The resolution of these issues is documented in the signed statement of common ground produced by Natural England and the Council (COM.007).

Concerns about air quality impacts on the Oxford Meadows SAC, particularly in-combination with other Plans and projects in this area

92. Natural England's remaining unresolved issue relates to potential in-combination air quality impacts on the Oxford Meadow SAC. Natural England stated in their response to the Regulation 19 consultation that:

Based on the information provided Natural England cannot currently agree that the Plan will not have air quality impacts on the Oxford Meadows SAC, particularly in-

combination with other Plans and projects in this area. In-combination impacts should be assessed fully in the subsequent Appropriate Assessment.

93. Following the receipt of the Regulation 19 consultation response from Natural England, the City Council engaged with Natural England immediately to try to resolve the outstanding issues. A series of meetings and email exchanges took place during February and March 2024. As a result of these discussions, Natural England and the Council agreed that, with the exception of the Council's approach to the air quality 'in-combination' assessment, the other issues raised as part of Natural England's Regulation 19 consultation response had been satisfactorily addressed and agreement had been reached.
94. This meant that, at the time of the submission of the Oxford Local Plan 2040, only one area of concern for Natural England was not fully resolved although the parties are committed to working closely on the matter. This is referred to as the "in combination" effects below.

Question 13: In terms of the approach to "in combination" effects, what is the current position of Natural England and the Council.

95. Natural England's position is summarised in paragraphs 4.1-4.2 of the signed Statement of Common Ground (COM.007). Briefly it can be summarised even further here as paragraph 4.2 of the Statement sets out:

Natural England recognise that the Oxford City Local Plan as currently modelled shows a small impact alone. When considered in combination with other Local Plans and planning applications in Oxfordshire out to consultation, Natural England consider that the cumulative impact from these live plans and applications highlights a more significant issue.

96. The Council maintains its position, as set out in paragraphs 4.3-4.4 of the signed Statement of Common Ground (COM.007). This can be summarised here as paragraph 4.4 of the Statement states:

HRA 'in-combination' assessments should be undertaken at an appropriate time by the appropriate authority and that it is unfeasible and unrealistic for the Local Plan 2040 HRA to consider impacts of emerging Local Plans that have not yet been submitted to the Secretary of State for examination.

97. Whilst the City Council sought to work closely with Natural England and welcome signing a statement of common ground, the City Council is mindful that the HRA process

has followed published guidance requirements. It has also followed on and been informed by previous approaches when preparing the Local Plan 2036.

98. Therefore, the City Council identifies two distinct areas of concern expressed by Natural England in relation to the assessment of 'in-combination' effects (one of which can be separated into three distinct but related parts). These are as follows:

1. Plan-Making Process

- a. The timing of the agreed transport modelling undertaken by the City Council against the available details as part of emerging Local Plans in the surrounding districts.
- b. At what stage in the plan-making process should other plans be included within an 'in-combination' assessment?
- c. In-combination assessment at screening or appropriate assessment stage?

2. Planning Applications being determined under extant/adopted Local Plans.

These are considered in answer to the next question.

Question 14: Is the Council's position justified?

99. The Council's position is justified by reference to the Natural England Advice, relevant policy, guidance and legislation.

1. Plan Making Process

In relation to plan-making, there are three issues that make up this first area of concern, which require articulation as follows:

- a. The timing of the agreed transport modelling undertaken by the City Council against the available details as part of emerging Local Plans in the surrounding districts.

100. In summary, Oxford City Council was not in a position to undertake an assessment of 'in combination' effects that included amounts of proposed development coming forward as part of the Local Plans of the surrounding districts because it was not yet known. HRA work in those districts had not yet progressed sufficiently to provide any data for consideration by the City Council.

101. Moreover, this is likely to be as a result of the relevant Local Plans being at a very early stage in the plan-production process. Associated information about levels of growth and development to be planned for was not available when the City Council

commissioned its transport modelling, having previously agreed its scope with Natural England.

102. As set out in the answer to question 12, Oxford City Council agreed the approach to transport modelling with Natural England (for both ‘alone’ and for ‘in-combination’ effects) to support the HRA for the Oxford Local Plan 2040, in June 2023, before the modelling commenced in July 2023. At that point it was widely and publicly known that little progress had been made on other plans in the surrounding areas.

103. In June 2023, all the other districts’ Local Plans had only published Issues stage consultations (see table 14a below for details). As such, none of the surrounding districts’ local plans were sufficiently advanced to be able to be meaningfully considered within the ‘in-combination’ assessment for Oxford’s Local Plan 2040.

Table 14.1: Stages of plan-making reached by neighbouring authorities when Oxford City Council Transport Modelling approach was agreed with NE (June 2023) and commenced (July 2023)

Authority	Local Plan Stage completed by June 2023/ July 2023
Cherwell District Council	Two Issues Stage Consultations undertaken: “Community Involvement Paper 1 (July-Sept 2020) and “Community Involvement Paper 2 – Developing the Options” (Sept-Nov 2021)
South and Vale District Council	Issues Stage Consultation (May-June 2022)
West Oxon District Council	Issues Stage Consultation (August-Oct 2022)

104. Moreover, as time had moved on when Oxford City Council undertook the Proposed Submission consultation on its draft Local Plan 2040 (November 2023 – January 2024). The Cherwell Local Plan had been published for Local Plan Regulation 18 Consultation (September – November 2023).

105. At the same time conversations were taking place with Natural England and Oxford City Council during February and March 2024 to resolve Natural England’s concerns raised as part of their Regulation 19 consultation response, South and Vale district councils launched their Local Plan 2041 Regulation 18 Plan consultation.

106. In conclusion, the City Council considers the lack of information due to the timetables of plan preparation in the district to be a critical factor in reaching its

conclusions. And more importantly that the findings of the HRA are appropriate and the Council's position is justified on the issue of 'in combination effects'. Notably, this is supported in Government HRA guidance, which states: "*You should check if there's a risk or possibility of a significant effect based on the evidence. You should only consider real, not hypothetical risk*". Until more information is known, it is not possible to reach an alternative position. Indeed, this is relevant to the next issue being raised by Natural England, which is at what stage in plan-making is it appropriate to include plans within an 'in combination assessment'.

b. At what stage in the plan-making process should other plans be included within an 'in-combination' assessment?

107. The second issue relates to the stage in the plan-making process at which it is appropriate to consider levels of growth proposed within development plans for the purposes of an in-combination assessment. Firstly, to demonstrate its position, the City Council consider it important to establish the stage in plan-making at which other local plans should be included within an 'in-combination' assessment. The Natural England Air Quality Advice Note provides advice about this issue. Paragraph 4.44 of the NE Air Quality Advice note states:

It is generally well-established that the scope of an in-combination assessment is restricted to plans and projects which are 'live' at the same time as the assessment being undertaken.

108. Paragraph 4.44 of the NE Air Quality Advice Note also sets out a list of plans and projects for consideration in the 'in-combination' screening assessment. Of direct relevance is the statement: "*any draft plans being prepared by any public body*" should be considered within an 'in-combination' screening assessment. It is the position of the City Council that planning policy, the phrase 'draft plan' relates to a specific stage of the plan-making process.

109. Clarification about the stage of the plan-making process that the phrase 'draft plans' (referred in Paragraph 4.44 of the NE Air Quality Advice Note) relates to, was provided as part of the previous HRA air quality screening assessment of in-combination impacts undertaken to support the examination of the previous Oxford Local Plan 2036.

110. The previous (Local Plan 2036) HRA 'in-combination' screening assessment only regarded those local plans that had been submitted to the Secretary of State for Examination to have sufficient certainty be 'considered as draft plans and therefore 'live' at the same time as the assessment being undertaken for the purposes of paragraph

4.44 of the NE Air Quality Advice Note. The word ‘assessment’ in the context of paragraph 4.44 refers to the ‘in-combination’ screening assessment. Natural England’s published advice on this matter has not changed since the previous Local Plan 2036 examination.

111. More recent national guidance⁶ on HRA published in 2021 includes information about how to check for combined effects as part of an HRA Screening. It provides a list of “proposals being dealt with by other competent authorities” to consider when undertaking an ‘in-combination’ screening assessment. Of relevance to a plan-level HRA is the fifth bullet point which states:

- *Plans that have been drafted but not yet adopted.*

112. This national guidance corroborates the position set out in the NE Air Quality Advice Note. It also makes clear only those draft plans *not yet adopted* should be considered when undertaking an ‘in-combination’ assessment. I.e that they are close to adoption but not yet adopted.

113. When Oxford City Council previously undertook an ‘in-combination’ assessment (to support the now adopted Local Plan 2036 examination), the Council followed the advice published in the NE Air Quality Advice Note. As part of *that* ‘in-combination’ assessment, Natural England only considered those plans that had been formally submitted to the Secretary of State for examination, to be ‘live’ for the purposes of compliance with Paragraph 4.44, step 4 of the Screening process requires this to happen.

114. As the NE Air Quality Advice Note 2018 has not changed in any way, it remains the most up-to-date published advice from Natural England. The Government’s 2021 HRA guidance published subsequently does not materially alter that advice and in fact reinforces it. The Council considers that it is for the Local Plans of the surrounding districts to assess the effects of their plans ‘in-combination’ with already submitted or ‘live’ plans. This will take place in accordance with the guidance as the relevant plans reach greater certainty through the plan-making process (including regarding the amount of development proposed).

c. In-combination assessment at screening or appropriate assessment stage?

115. Finally, Natural England consider that the ‘in-combination’ air quality assessment should take place as part of the Stage 2 Appropriate Assessment Stage, whereas the

⁶ <https://www.gov.uk/guidance/habitats-regulations-assessments-protecting-a-european-site>

Council considers that the current published advice, national guidance and previous HRA work all suggest that ‘in-combination’ effects should be assessed at the HRA Screening Stage (as set out in the Air Quality Screening Addendum (CSD.005b).

116. The City Council considers that the approach to undertaking an ‘in-combination’ assessment at the HRA Screening Stage is supported by the published methodology for air quality in-combination assessments, set out in the NE Air Quality Advice Note nor aligns with the previously agreed approach to ‘in-combination’ assessment established Oxford Local Plan 2036 examination.

117. The City Council considers the approach to undertake ‘in-combination’ assessment at the screening stage is supported by Section 4 of the NE Air Quality Advice Note is entitled, *Advice on Screening for Likely Significant Effects*. This section sets out a five-step process, which should be undertaken by competent authorities when assessing the likelihood of significant effects of a plan or project alone or ‘in-combination’, with other road and non-road traffic plans. Step 4 of this process - *Application of the Screening thresholds*, includes the following three sub-steps:

- Step 4a: apply the threshold alone;
- Step 4b: apply the threshold in-combination with emissions from other road traffic plans and projects;
- Step 4c: apply the threshold in-combination with emissions from other non-road plans and projects.

118. As can be seen from the process set out in the NE Air Quality Advice Note, an ‘in-combination’ assessment clearly forms part of the methodology involved when undertaking screening for likely significant effects. As there have been no changes or alterations to this published advice, the City Council considers it has followed the correct approach when undertaking this aspect of the ‘in-combination’ assessment.

119. It is worth noting that paragraph 4.44 of the NE Air Quality Advice Note sets out that when considering the scope of an HRA in-combination assessment “*competent authorities can be mindful of the assessment, reasoning and conclusions included in any previous HRAs for these plans and projects*”.

2. Assessment of Planning Applications as Part of an ‘In-Combination Assessment’

120. The second area of concern expressed by Natural England relates to how current live planning applications (proposed to come forward under the extant suite of adopted Local Plans) should be considered in the current HRA ‘in-combination’ assessment for the Oxford Local Plan 2040. It is the opinion of the Council that planning applications

coming forward on allocated sites within adopted local plans have already been assessed as part of the previous Local Plan 2036 HRA 'in-combination' screening assessment.

The following paragraphs provide a summary of that previous process:

- Firstly, the previous HRA 'in-combination' screening assessment (hereafter the '*2036 Plan Assessment*') concluded that development proposed as part of these plans would be unlikely to have significant effects on air quality at the Oxford Meadows SAC. In fact, it showed that there was significant headroom to allow for higher levels of growth than was allocated without likely significant effects on air quality at the Oxford Meadows SAC occurring.
- The *2036 Plan Assessment* followed the process set out in the NE Air Quality Advice Note. To paraphrase it states: in relation to the application of screening thresholds, that where the 1,000AADT threshold is met, additional work to demonstrate that the 1% increase in critical load for emissions is needed to demonstrate no likely significant effects on air quality at the designated site in question. This is set out within a text box highlighted in bold on page 18 of that Advice Note:

If there is already detailed, locally-based modelling available about the plan or project that shows the 1% of the environmental benchmark is not exceeded, even if the 1,000 AADT is, then this level of precision is sufficient to override the use of the very generic 1,000 AADT guideline threshold above.

- The *2036 Plan Assessment* showed that the 1,000AADT threshold would be exceeded. However, further work was undertaken (in line with the NE Air Quality Advice Note) which converted the 1% critical load for emissions (in this case Nitrogen deposition) into an equivalent amount of AADT. This work showed that, to be considered significant, AADT increases associated with a 1% increase in Nitrogen deposition would need to exceed 9,000AADT on the A34 and 10,000AADT on the A40.

121. In conclusion, therefore, by including planning applications that have already been considered as part of the HRA for the extant Local Plans in this current HRA process, it would effectively constitute a double counting of their potential impacts. Ultimately this would lead to erroneous results arising from the HRA assessment that would mis-represent the potential for likely significant effects. In addition, as provided in below, when the previous Local Plans were prepared the *2036 Plan Assessment* showed significant headroom to accommodate the planned growth within Oxford City's Plan 'in-combination' with the relevant submitted development plans from the neighbouring district authorities.

Table 14.1: 2036 Plan Assessment work showing significant headroom as part of planned growth allocated in the suite of currently adopted Local Plans.

	Cherwell Local Plan 2031 Partial Review (Adopted 2020)	South Oxfordshire Local Plan 2035 (Adopted 2020)	Oxford City Council Local Plan 2036 (Adopted 2020)	Total
A34 (AADT)	1,008	-500	86	594
A40 (AADT)	1,29	100	6	1,235

Question 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?

122. The Local Plan 2040 identifies the overall unmet housing need for the plan period as 16,828 homes. A significant proportion (84.9%) of unmet housing need, some 14,300 homes^A, has already been agreed to be met through site allocations that form part of the extant suite of adopted development plans of the neighbouring Oxfordshire district councils.
123. Figure 8.2 on page 163 of the Proposed Submission Draft Local Plan 2040 (CSD.001) shows the locations of these allocated development sites outside of Oxford’s boundary. Section 8 of Background Paper 1 Housing Need including exceptional circumstances (BGP.001), references the number of homes attributed to and that are currently allocated within each of the adopted Local Plans of the surrounding Oxfordshire district councils. This is also covered in more detail in the answers provided on Matter 2.
124. Transport Modelling undertaken to support the Oxford Local Plan 2040 assessed the net increase in growth as a result of development proposed in the Oxford Local Plan 2040 when compared with the existing situation of growth proposed within the currently adopted suite of Local Plans across the county. The way that the transport modelling operates is to consider the adopted growth in what is called a ‘Do Minimum’ scenario. To be clear, the ‘Do Minimum’ scenario used in the Local Plan 2040 transport modelling included all the adopted policies of the City Council and the other Oxfordshire districts (which included the 14,300 unmet need homes) as a “baseline”. It then looked at new housing and jobs growth, proposed over and above that existing allocated

growth, in what is called the 'Do-Something' scenario. This is to find the impact of any new, previously unallocated growth, on the road network.

125. The transport modelling undertaken to support the Oxford Local Plan 2040 showed an increase of 274AADT for the relevant section of the A34 and of 15AADT for the relevant section of the A40 due to the additional planned growth in the Oxford City Local Plan 2040. This has all been taken into account during the preparation of the HRA at all of the relevant stages. Indeed, this is demonstrated in the HRA Air Quality Screening Addendum for the 2040 Local Plan (CSD.005b), which sets out the housing and jobs growth (land-use assumptions) that were used in the transport model.

126. As set out at question 14 (above), when the transport modelling was commissioned and undertaken for the Oxford Local Plan 2040, the Local Plans of the surrounding districts were all at early stages of plan-making and significantly short of being described as a 'draft plan not yet adopted'. As set out above, at paragraph 4.44 of the NE Air Quality Advice Note, 'live' plans to be included within an 'in-combination' assessment are considered to be 'draft plans'. National guidance on HRA (also set out above) makes it clear that it is 'draft plans not yet adopted' that should form part of any 'in-combination' screening assessment. Paragraphs 4.3 and 4.4 of the signed Statement of Common Ground with Natural England (CSD.007) which forms part of the evidence base for Local Plan 2040 sets out the Council's position.

127. In conclusion, the City Council considers it has demonstrated that the transport modelling undertaken to assess the impacts on air quality of Oxford's Local Plan 2040 on the Oxford Meadows SAC is appropriate. The approach is not only in line with Natural England's published advice, but also reflects and follows a previously agreed approach with Natural England both verbally (through meetings in March and June 2023) and, through the written signed Statement of Common Ground that was agreed with Natural England as part of the examination of the Oxford Local Plan 2036.

Question 16: Are there any other concerns regarding the HRA and if so, how have these been resolved?

128. The City Council does not consider there to be any other additional concerns regarding the HRA to the recreational impacts and hydro-geological impacts, which were addressed in the answer to questions 11 and 12 above.

Other matters

Question 17: Does the Local Plan include policies in relation to the mitigation of and adaptation to climate change? If so, which?

129. As required by chapter 14 of the NPPF, the Local Plan includes policies that relate to both climate change mitigation and adaptation. The Plan addresses climate change most directly across two chapters which focus on the environmental pillar of sustainable development. Chapter 4 (A green biodiverse city that is resilient to climate change) groups policies which seek to preserve the city's resilience to climate change and ensure that new development is **adapted** to future climate change whilst also delivering improvements in the city's resilience over time. Chapter 5 (A city that utilises its resources with care, protects the air, water and soil and aims for net zero carbon) presents policies which seek to radically reduce carbon emissions from new development and **mitigate** our impacts on climate change; support the city's wider transition to net zero carbon (in line with local 2040 net zero and national 2050 net zero targets) and also drive more prudent use of other natural resources.

Climate Change Adaptation

130. The City Council considers the Local Plan to be a key tool in establishing a city that is more resilient to the impacts of future climate change. Most directly, chapter 4 includes **policy G9** which ensures that design of new development is planned through the lens of future climate scenarios (e.g. addressing the potential for overheating, as well as conserving water resources and ensuring flood resilience/resistance). Naturally, G9 crosses over with other policies in the chapter but ensures that considerations are focused on climate change impacts (whereas these other policies can have wider remit). Of the other policies in the chapter:

- **Policies G1-G3** seek to establish strong requirements for conserving green infrastructure and ensuring a baseline standard of provision is met – important for reducing impacts of overheating in the public realm but also managing water.
- **Policies G7 and G8** set out requirements for addressing flood risk now and in future, which is a key concern in Oxford as large areas of the city are susceptible to flooding, particularly from the rivers.

Climate Change Mitigation

131. Partners in Oxford, including the City Council have set strong local decarbonisation targets that precede the national 2050 net zero target by ten years (a city net zero target of 2040) and the Local Plan includes policies purposefully designed to support this ambition. There are three policies of note in this regard. The key policy,

policy R1, seeks to build on the progress of the existing policy in the Local Plan 2036 and will require net zero carbon buildings in operation—focusing on reducing energy use and using energy more efficiently. R1 will ensure that all new development operates to a net zero carbon standard once built so that it does not add to the existing retro-fit burden in the city and will not require further retro-fit in future, as well as supporting other objectives such as fuel poverty and building resilience into the energy network by promoting micro-generation. Alongside policy R1, the Local Plan 2040 establishes several new policies that address carbon emissions in other ways:

- **Policy R2**, a new embodied carbon policy to encourage the development industry to begin taking carbon associated with construction into consideration in design. Intended as a steppingstone to more rigorous policy in future where this is not brought forward at national level and as national guidance and industry understanding improves.
- **Policy R3**, seeks to positively support the ambition of owners of existing buildings to pursue retro-fitting of their buildings for energy efficiency and climate adaptation reasons. It encourages Whole Building Approach to retro-fit, particularly for traditional/historic buildings which have additional sensitivities in relation to heritage protection which applicants will need to navigate.
- **Policy R6**, which seeks to protect and conserve soils which are important sinks of carbon, particularly peat reserves, of which there are several notable deposits in the city.

Other Policies of Relevance

132. Other policies across the Local Plan bring in considerations of climate change where applicable, reflecting the fact that climate change is an overarching thread throughout the policy framework, as noted in the Local Plan’s Vision and Strategy chapter. For example:

- **Policy HD10** requires health impact assessments on major development and will need to factor climate change impacts on health into the assessment process.
- **Policy HD7** and the accompanying design checklist in Appendix 1 also draw in considerations of climate change into the design process that applicants will need to follow.
- **Chapter 7** includes policies that seek to encourage walkable neighbourhoods that allow occupants the choice to take active/sustainable transport options in order to meet their daily needs, rather than rely on private vehicles. Where other forms of transport are a necessity, this chapter also sets out requirements for electric vehicle charging, which is an increasingly prominent consideration as we seek to shift such transport modes away from fossil fuel reliance.

Question 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?

Section 19

133. In relation to other specific matters set out in **Section 19 of the 2004 Act (as amended)**, which have not already been responded to via our responses to other questions in Matter 1, the Local Plan identifies **the strategic priorities for the development and use of land** throughout chapter 1 of the document. Strengths, weaknesses, opportunities and threats are set out to provide key context of the city today and in 2040, and leading into the objectives and strategy section. The Council has then identified six key themes that have been built off the three pillars of sustainability as outlined in the NPPF and form the basis for the following chapters of the Local Plan (alongside a final chapter on sites), as well as three ‘overarching threads’ which interweave throughout the chapters and policies (addressing climate change; reducing inequalities; liveable city). This strategy has been informed by various pieces of evidence completed at each stage of consultation, including the background papers and the Sustainability Appraisal process.
134. In drafting of the Local Plan, the Council has had regard to a range of **national policies and advice**, including the National Planning Policy Framework, the Planning Practice Guidance, the National Design Guide and National Model Design Code, as well as other **regional strategies** of relevance to the context of the emerging policy framework for the city. We have made reference to these throughout the Local Plan itself where relevant, as well as in the supporting evidence base—particularly the Sustainability Appraisal scoping report (SUP.002) which included a review of the national and regional policy context (subsequently updated with a summary of key changes for the Reg 19 Sustainability Appraisal – CD.004a), and in the individual topic papers (BGP.001 to BGP.015a).
135. The Council has had regard to the **resources likely to be available for implementing the Plan** and has published an Infrastructure Delivery Plan (CSD.006) alongside the Local Plan, which sets out the needs for infrastructure to support the city’s development needs over the plan period. Policy S3 sets out the expectations for how prospective developers will need to engage with infrastructure providers and that infrastructure provision needs will be supported through developer contributions and/or Community Infrastructure Levy as well as other sources of funding where appropriate.

Regulation 10

136. In relation to the additional matters local planning authorities must have regard to when drafting their local plans as covered under **Regulation 10**, the Council has taken these into consideration where relevant as part of the process of developing the Local Plan.
137. For example, whilst the Local Plan does not include specific policies that address highway or transport management, the Council has had regard for the policies of the local transport authority, Oxfordshire County Council. The City Council engaged with them throughout the Local Plan development process, acting on their feedback where the Local Plan proposals overlap with strategic transport policies. The Local Plan includes policies that support wider county objectives, for example, through reducing negative impacts of private vehicles such as congestion and pollution and promoting active travel measures like cycling (e.g. policies C7 to C9). The Statement of Common Ground with Oxfordshire County Council (COM.005) details some of the post Regulation 19 consultation engagement between the Council and the County and the proposed modifications that were agreed as a result.
138. The Local Plan includes a number of policies which seek to support the objectives of the national Waste Management Plan and Waste Regulations which also align with other local objectives such as prudent use of resources, protection of the environment and mitigating impacts on climate change. For example, chapter 5 includes new policy on reducing embodied carbon within the construction process (**Policy R2**). This sets out principles for new development to follow including minimising of waste generation and maximising of re-use/recycling of materials, as well as making design choices that would allow buildings to be easily maintained, adapted and repurposed at the end of use/ life. Chapter 5 includes other policies which seek to ensure impacts on the environment are mitigated, such as in regard to air quality (**Policy R4**) and impacts on wider amenity (**Policy R7**)
139. In relation to preventing major accidents and limiting the consequences, the policies set out above play an important role. In addition, due to the historic nature of development in the city, there are areas of known or potential land contamination which have also been considered in the development of the plan. Chapter 5 includes **Policy R5** to ensure new development addresses potential for contaminated land and undertakes remediation where necessary. On site allocations, the potential for contamination was explored with contaminated land experts within the City Council as

well as via feedback from engagement with the Environment Agency and signposting of potential for contamination to be considered by applicants was included in relevant allocations policies. Our ongoing engagement with the EA has also had regard for other relevant topics, such as flood risk and impacts on the water environment.

140. The HRA process and sustainability appraisal have also considered the potential for impacts on sensitive environmental sites from new development.

Question 19: How have issues of equality been addressed in the Local Plan?

141. The plan has been subject to a full Equalities Impact Assessment ([CSD.002](#)), which is standard practice to meet the Council's duties under the Equality Act 2010. The scope of the Local Plan and the 20-year time span mean that it will likely have a significant impact on the lives of those who live and work in or visit the city. The Local Plan seek to address inequalities; however, to achieve its objectives, choices need to be made between competing demands and how limited resources will be allocated. As a result, the policies have been assessed as part of this process for unintended consequences for equality issues.

142. Reducing inequalities is one of the overarching themes that form the basis for the emerging plan and its objectives, and it thematically informs the development of policies across the entire plan regardless of the topic/subject area, particularly strategic policies relating to housing, employment, access to green spaces and community infrastructure. The Plan from the outset sets out a number of propositions with respect to reducing inequalities as follows:

- There is a limited supply of housing in the city, which exacerbates inequalities by leading to high property prices and a limited supply of affordable housing, creating a knock-on effect on the economic life of the city whereby many lower paid essential workers cannot afford to live in the city and employers experience high staff turnover and vacancy rates. The plan has a range of requirements that are aimed at addressing housing inequality, with policies supporting access to affordable housing, and a balanced mix of housing types and tenures.
- There are notable spatial inequalities in the city, with some of the most and least deprived wards in the county sitting side-by-side in Oxford. The plan sets out policies which seek to support the economy, including addressing unequal access to

employment and training through options for policies requiring employment and skills plans as well as provision of affordable workspaces.

- Healthy built environments encourage and support good physical and mental health, while helping to reduce health inequalities. Providing and improving access to educational, health and community facilities greatly improves the quality of life for residents, builds strong communities and helps to address inequalities. The plan includes policies that relate to protecting, enhancing and providing new green infrastructure, which are intended to help preserve access to and improve the natural environment across the city. There are also policies which focus on more specific aspects of provision that are desired for neighbourhood areas in the city to ensure the right balance of needs are met.

143. Supporting the development of the Local Plan, the Council has also undertaken a separate Health Impact Assessment (HIA) process on the emerging Local Plan. A high-level screening report was undertaken and published alongside the Preferred Options consultation in 2022 (PCD.030) which assessed the policy options against a framework of 7 health and wellbeing topics (e.g. healthy housing, Oxford's inequalities, social infrastructure and climate change). The report helped to identify how the Local Plan is supporting health and wellbeing (including reducing inequalities) across the policy areas.

144. This report was subsequently followed up with a report that accompanied the Regulation 19 consultation (2023) which built upon the framework of the previous scoping report but reviewed the finalised policies that are being proposed for the Local Plan 2040 (SUP.008). This work was subsequently updated after the Regulation 19 consultation for the Local Plan submission in response to feedback from the County Council as part of their Reg 19 response and agreed as part of Statement of Common Ground discussions.