

**Mid Sussex Site Allocations DPD Examination**  
Matter 4 Statement on behalf of A2Dominion

May 2021

**Turley**

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**Client**

A2 Dominion Group

**Our reference**

A2DS3001

6 May 2021

# 1. Introduction

- 1.1 This Statement has been prepared by Turley on behalf of A2Dominion in relation to Matter 3 of the Mid Sussex District Council Site Allocations DPD Examination.
- 1.2 A2Dominion have also submitted Statements in response to Matters 1, 2, 3, 7 and 8 of the Examination.

## **2. Response to Matter 4 – Are the Plan’s provisions for the protection and enhancement of its environmental, landscape, biodiversity and heritage assets justified and in accordance with national policy?**

### **4.1 Are the environmental, landscape, biodiversity and heritage policies justified, effective and in accordance with national policy? Are any additional environmental policies needed?**

2.1 No comment.

### **4.2 Given the importance of Areas of Outstanding Natural Beauty (AONB) as a national policy constraint with the highest status of protection in the English town and country planning system in relation to landscape and scenic beauty, what is the justification for allocating the proposed number of dwellings in the High Weald AONB? In relation to paragraph 172 of the Framework and the support in policy DP16 for appropriate ‘small scale’ proposals in the AONB, what should be the definition of ‘major development’ in the context of Mid Sussex?**

2.2 Mid Sussex shares a strategically important relationship with Crawley Borough which has a significant unmet housing need. There is a substantial spatial planning justification for providing housing in a manner which is well related to Crawley, regardless of whether MSDC’s housing requirement is increased.

2.3 Approximately 50% of the Mid Sussex District is located within the AONB, including the majority of the area adjacent to Crawley and much of the boundary with East Grinstead. Since Crawley is known to have ongoing (and growing) issues in terms of accommodating its own need, there is a significant likelihood that part of Crawley’s need should be accommodated in Mid Sussex District. In order to ensure that is accommodated in close proximity and/or is highly accessible to Crawley, that is likely to indicate a continuing requirement for growth in the AONB.

2.4 In fact, the strategic allocation of the land east of Pease Pottage for 600 dwellings reflects the important and strategic role that this area plays in accommodating development in a proximate and accessible location to Crawley. Paragraph 3.42 of the District Plan identifies that the strategic allocation at Pease Pottage is proposed as a direct response in meeting the unmet needs of neighbouring authorities, including those of Crawley Borough Council. The Council justified the strategic allocation of Pease Pottage stating that “the site’s proximity and accessibility to Crawley (there are good bus links) provides a sustainable opportunity to meet some of the town’s unmet needs”, with the education provision proposed on the site improving the sustainability of this location.

2.5 The image below is taken from the SADPD (page 13) and shows how the AONB wraps around the edge of Crawley and extending roughly halfway through the District.

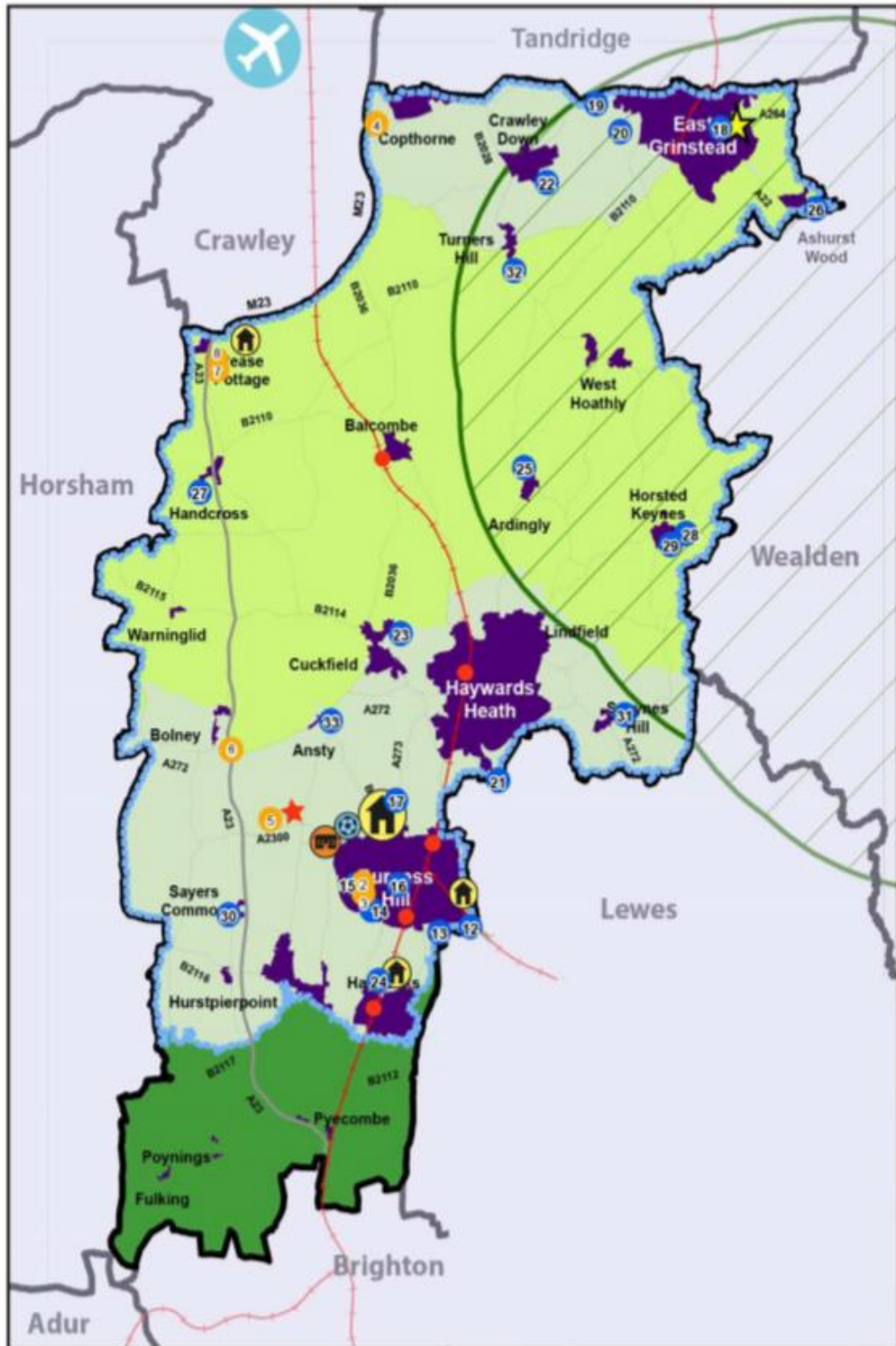


Figure 2.1: Map image from page 13 of the SADPD (MSDC)

- 2.6 It is clear that if housing is to be provided within Mid Sussex District to meet the needs of Crawley (whether that is by virtue of numerical provision made for unmet needs through an increased housing requirement, or through the spatial distribution of homes in Mid Sussex so that they have a close functional relationship with the neighbouring authority), then there is a very significant prospect that land within the AONB will be required.
- 2.7 The alternative would be that such provision then ‘jumps over’ the AONB and is provided some distance further south.
- 2.8 In that regard we note the situation regarding the unmet needs arising from Oxford City Council which has been considered in a number of Local Plan Examinations in neighbouring authorities.
- 2.9 In the Cherwell Local Plan Partial Review, the Inspector’s ‘Post Hearings Advice Note’ (**Appendix 1**) explained that:
- “I agree that the pressing need to provide homes, including affordable homes, to meet the needs of Oxford, that cannot be met within the boundaries of the city, in a way that minimises travel distances, and best provides transport choices other than the private car, provide the exceptional circumstances necessary to justify alterations to Green Belt boundaries.”*
- 2.10 In the Cherwell Local Plan Partial Review Inspector’s Report (**Appendix 2**) he went on to state at paragraph 46 that:
- “Chief amongst these is the obvious and pressing need to provide open-market and affordable homes for Oxford; a need that Oxford cannot meet itself. On top of that, in seeking to accommodate their part of Oxford’s unmet need, the Council has undertaken a particularly rigorous approach to exploring various options. That process has produced a vision and a spatial strategy that is very clearly far superior to other options. There is a simple and inescapable logic behind meeting Oxford’s open market and affordable needs in locations as close as possible to the city, on the existing A44/A4260 transport corridor, with resulting travel patterns that would minimise the length of journeys into the city, and not be reliant on the private car. On top of that, existing relationships with the city would be nurtured. Finally, this approach is least likely to interfere with Cherwell’s own significant housing commitments set out in the Local Plan 2015.”*
- 2.11 The South Oxfordshire Local Plan Inspector was faced with the same issue, and paragraph 20 of his interim conclusions (**Appendix 3**) stating that:
- “There is clear justification for seeking to meet Oxford’s unmet housing needs close to its built up area. This will allow for short journey distances to workplaces and social facilities, as well as having the potential to strengthen retail, social and transport facilities within adjacent parts of Oxford.”*
- 2.12 In our submission, the same principles apply to Crawley and its neighbouring authorities. Our Statement to Matter 1 sets out the position of those authorities regarding Crawley’s unmet housing need.

- 2.13 In addition, A2Dominion highlight that there are areas within Mid Sussex which fall within the AONB which are of markedly different character to the land further south. In particular that conclusion applies to the land promoted by A2Dominion at Pease Pottage. It is acknowledged that the site is located within the High Weald Area of Outstanding, however it is well-enclosed by mature tree and hedgerow vegetation that effectively screens the site from external viewpoints and is defined by characteristics associated with its former use as part of a golf course.
- 2.14 It is also clear, from MSDC's own evidence for the SADPD that it considers the AONB in this northern part of the District at Pease Pottage to have capacity for development.
- 2.15 That point is also supported by the fact that the land allocated to the east of Pease Pottage is within the AONB.
- 2.16 The NPPF does not represent an absolute restriction to development in the AONB, but provides an explanation as to the approach to planning for growth in such areas.
- 2.17 Given the strategic significance of the northern part of Mid Sussex District (and the adjacent land within Horsham District), our submission is that any conclusions which 'rule out' or prejudice the concept of development in this area should be avoided. The issue of Crawley's unmet housing need will continue (and is only likely to worsen as available land is developed), yet the spatial planning principles of locating development close to the town remain.

**4.3 Is policy SA38, in relation to air quality, justified and effective? Is it based on the latest air quality modelling data? For example, should the work on air quality impacts include the consideration of particulates? In particular, are the proposed mitigation measures sufficiently effective to, in all likelihood, prevent adverse effects from proposed development on the Ashdown Forest SPA and SAC?**

2.18 No comment.

**4.4 Do any of the proposed site allocations threaten to harm the setting of the South Downs National Park (SDNP), and if so, can effective mitigation be achieved?**

2.19 No comment.

**4.5 The provision of a Suitable Alternative Natural Greenspace (SANG) is set out in District Plan policy DP17, to reduce the likelihood of visitor pressure on Ashdown Forest. Is it the role of this Plan to specify on a map the geographical extent of the 33 ha SANG at East Court and Ashplats Wood in East Grinstead? Is there a target date for implementation, and are there convenient public access arrangements?**

2.20 No comment.

**Appendix 1: Cherwell Local Plan Partial Review  
'Post Hearings Advice Note'**



Cherwell Local Plan 2011-2031 (Part 1)  
Partial Review – Oxford’s Unmet Housing Need  
Inspector: Paul Griffiths BSc(Hons) BArch IHBC  
Programme Officer: Ian Kemp



Post-Hearings Advice Note

Preamble

This Note sets out, in brief, the preliminary conclusions I have reached about the *Cherwell Local Plan 2011-2031 (Part 1) Partial Review – Oxford’s Unmet Housing Need* (the Plan) as submitted, taking account of what I heard at the hearings in February 2019, and the various written submissions that have followed on from them. It deals with a series of points that have been made about the Plan and most importantly, at this stage of the process, sets out some changes that are required to make the plan sound. While I have briefly outlined my position on some key issues, my full reasoning will be provided in my final report.

The Quantification of Oxford’s Unmet Housing Need (the figure of 4,400 that represents Cherwell’s Apportionment)

This 4,400 figure, which provides the basis for the Plan, has drawn a lot of criticism both at the Hearings, and since. In particular, the Review of the Oxfordshire SHMA 2014 and Oxford City SHMA Update 2018 produced by ORS suggests that the base figure that leads to the identification of Oxford’s total unmet need as 15,000 units, of which Cherwell’s share is 4,400, is significantly inflated. I note that the Inspectors charged with examining the recently submitted Oxford Local Plan 2036 have raised some preliminary questions about Oxford’s base figure of 1,356 dpa suggesting, amongst other things, that the issue could have a bearing on the level of unmet need which would have to be accommodated in neighbouring authorities, and could potentially affect the amount of land released from the Green Belt.

With that in mind, some participants have suggested that the Examination should be suspended until Oxford’s housing needs, and following on from that, its unmet needs, are quantified through the examination of the Oxford Local Plan.

I appreciate, to some, that seems a reasonable position to take. Indeed, it might be said that some means of looking at the housing and other needs of Oxford, and the surrounding Boroughs, simultaneously, in a strategic way, would be a good idea. However, that is not the way in which the planning system is currently set up.

The Planning Inspectorate has a duty to appoint Inspectors to carry out an independent examination expeditiously on submission and is not involved in discussions between authorities about timetabling, or anything else, before Plans are submitted. I would also observe that the Council’s adopted Local Plan includes an undertaking to conduct a partial review to address Oxford’s unmet housing need within two years of adoption. That partial review is the subject of this examination.

In that context, there can be no reasonable justification for suspending the examination to allow the Oxford examination to be advanced to its final stages.

Turning to the 4,400 figure itself, it has been arrived at through what I regard as a robust process where Oxford, and (most of) the surrounding authorities, co-operated, through the Oxfordshire Growth Board (OGB) to identify Oxford's unmet need, and apportion it between them. In many ways, the OGB is a model of how the duty-to-co-operate should work.

The ORS Report criticises the basis for the 4,400 figure for Cherwell, but it offers no alternative. Likewise, it might well be argued that the figure is based on a SHMA that is of some vintage, but the Oxfordshire SHMA 2014 is the only basis for considering Oxford's needs in the context of the wider HMA before the examination and I consider the figure to be robust when considered against the (2012 version of) the Framework and the associated Guidance.

I accept that the Inspectors examining the Oxford Local Plan might have raised some preliminary questions about Oxford's housing needs, but they have yet to reach any conclusions on the matter and are likely to be some way off doing so.

All in all, like my colleagues who examined Local Plans in West Oxfordshire, and the Vale of White Horse, I find nothing problematic in the Plan's reliance on the figures produced and agreed through the OGB. I consider that the 4,400 figure provides a sound basis for the Plan.

### The Strategy

Put simply, the approach taken is to locate the housing and infrastructure required as close as possible to Oxford, along the A44 and A4165 transport corridors. To my mind, while most of the allocations proposed are in the Oxford Green Belt, this is an appropriate strategy because it is that most likely to foster transport choices other than the private car and minimise travel distances, and least likely to interfere with the delivery of housing elsewhere in Cherwell.

### Exceptional Circumstances

The Council has set out why it considers that the exceptional circumstances to justify the removal of land from the Oxford Green Belt are in place. I agree that the pressing need to provide homes, including affordable homes, to meet the needs of Oxford, that cannot be met within the boundaries of the city, in a way that minimises travel distances, and best provides transport choices other than the private car, provide the exceptional circumstances necessary to justify alterations to Green Belt boundaries.

### The Various Allocations

With one exception, that I deal with below, I regard the various allocations, and the process by which they have been arrived at, as sound, in principle. There are, however, detailed points that I need to address at this stage.

First, and most fundamental, is the allocation proposed in Policy PR10 – Land South East of Woodstock. I do not believe that the impact on the setting, and thereby the significance, of the nearby Blenheim Palace World Heritage Site (WHS) would be unacceptable, considered in isolation. However, notwithstanding the potential for screen planting, it is my view that the development of

the site for housing would represent an incongruous extension into the countryside that would cause significant harm to the setting of Woodstock, and the character and appearance of the area. That, alongside the travel distance to Oxford (which is likely to tempt residents away from more sustainable travel choices like public transport or cycling notwithstanding the proximity of the site to a proposed Park & Ride facility), and the impact on the setting and significance of the WHS, lead me to the conclusion that the allocation is unsound. I make some suggestions as to how this might be dealt with under the heading 'Main Modifications' below.

Second, I have no doubt that the North Oxford Golf Club is a much-valued facility. However, the site it occupies is an excellent one for the sort of housing the Plan proposes, given its location so close to Oxford Parkway, with its Park & Ride, and its proximity to the centre of Oxford. In that light, I do not find the allocation proposed in Policy PR6b – Land West of Oxford Road unsound, in principle.

I raised a question at the hearings about the reference in the policy (under criterion 17) to the need for any application to be supported by enough information to demonstrate that the tests contained in paragraph 74 of the (2012) NPPF are met, so as to enable development of the golf course. Policy PR6c – Land at Frieze Farm allocates land for a replacement golf course and from what I saw of the existing golf course, it could, if necessary, provide equivalent or better provision in terms of quantity and quality, on a site very close to the existing facility.

On that basis, notwithstanding questions around whether the existing gold course is surplus to requirements, which are addressed under criterion 21 in any event, the tests in paragraph 74 have been met and criterion 17 can be deleted.

In terms of Policy PR9 – Land West of Yarnton, I have some sympathy with the points made in relation to the depth of development allowed for in the overall allocation. From what I saw of the site, there is scope for the developable area to extend westward and this might well provide the scope for a development more interesting in its design and layout. I return to this matter below.

### Density

As submitted, the various allocation policies in the Plan each refer to an expectation that dwellings would be built to conform with an approximate average net density. The Council has proposed what I would regard as a Main Modification (MM) removing these references. To my mind, that is a reasonable course. Each of the allocation policies sets out the number of dwellings to be provided on each respective site, so the reference to density is superfluous.

There are other issues raised on the subject too. Most important is the suggestion that in anticipating relatively low-density developments, the land take from the Green Belt proposed by the Plan is greater than it might be. However, in allocations of the type proposed, land take is not the only consideration. Higher density developments, on smaller sites, on the edge of what in some cases are quite small-scale settlements, would appear out of place and have a markedly harmful impact on their surroundings.

Some additional capacity may be possible, a matter I discuss further below, but overall, the Council has struck a broadly sensible balance between the extent of the land proposed to be removed from the Green Belt, and the need to accommodate development that respects its context. I see nothing unsound in that approach.

## Access/Highways

It is fair to note at the outset that building 4,400 homes to accommodate Oxford's unmet need anywhere in Cherwell is likely to have significant impacts in traffic terms. However, as I have alluded to above, the principle of siting the required allocations along an established transport corridor is a sound one. I accept that traffic along this transport corridor is already relatively heavy, but the route clearly offers the best opportunity to provide incoming residents with opportunities to travel by means other than the private car. Moreover, development along the corridor can reasonably be expected to contribute to transport improvements along it, including those that encourage means of access into Oxford by means other than the private car.

It was put to me that if the land covered by Policy PR6c – Land at Frieze Farm was allocated for housing, then a link road between the A44 and A34 could be provided that would alleviate congestion at the roundabouts to the south. That might assist but I do not consider the possibility sufficient reason to justify allocation of the site, or part of the site, for housing. That said, there may be other reasons why housing on the site might prove necessary (see below).

I recognise that the allocations, and other factors, will lead to changes to the highway network, like the closure to vehicular traffic of Sandy Lane. However, while such changes might be inconvenient, to some, the impact they would involve is not such that it renders the Council's approach unreasonable, or the Plan unsound.

## Main Modifications

The Council has already proposed a series of changes to the Plan and consideration will need to be given as to whether these are in fact MMs. As a guide, I consider that anything that meaningfully changes an actual Policy, or in the case of supporting text, goes to the heart of the approach, will be a MM and will need to be consulted upon. Anything that falls short of a MM is a matter for the Council. I have covered the example of the deletion to references to approximate average net densities above and this provides a guide as to where the line should be drawn.

The major change required to the Plan to make it sound is the deletion of Policy PR10. This gives rise to a necessity to make provision for 410 dwellings, 50% of which are to be affordable housing, elsewhere. While I do not seek to rule out other approaches the Council might wish to take, there seems to me to be several ways in which this might be addressed:

1. There could be scope to divide the 410 dwellings around some of the other allocations, without having any undue impact on the character and appearance of the general area;
2. That could be combined with additional dwellings on the Policy PR9 allocation which could lead to a better-designed layout (see above); or
3. There may be the possibility that the Policy PR6c – Land at Frieze Farm allocation could accommodate some housing (and possibly the link road) as well as any replacement golf course. However, this would necessitate further land-take from the Green Belt for which exceptional circumstances would need to be demonstrated. This might prove difficult to justify unless options 1 and 2 above and any other options outside the Green Belt were shown to be unsuitable.

The other major change I have set out is the deletion of criterion 17 in Policy PR6b – Land West of Oxford Road. On my analysis, that deletion would not necessitate any other change to the policy in general, or criterion 21 that deals with the provision of a replacement golf course in particular. However, that may be an aspect the Council would want to consider further.

On another issue, there are several references in the policies of the Plan to the (2012 version of the) NPPF. While the Plan is being examined under the auspices of that document, any planning applications that flow from the Plan will be considered against the February 2019 (or any subsequent) version. On that basis, while forms of words taken from it can be retained, specific references to the NPPF should be removed throughout the various policies.

#### Concluding Remarks

There are several matters here that will require careful consideration by the Council, and I am content for time to be allowed for that to take place (though I would appreciate an early indication of how long might be required). What the Council have already proposed, and what I cover here, may also require updates to the Sustainability Appraisal and other parts of the evidence base. The Council will need to consider such matters too.

Once all MMs, and any associated updates to the evidence base have been put together, I will want to consider them, and may have further comments having done so. After that, the MMs and associated updates will need to be consulted upon, of course, and it may be that another Hearing is required to discuss the results of that process. Alternatively, it may then be possible for me to proceed to my report. I will of course, keep this under review.

Paul Griffiths  
**INSPECTOR**

10 July 2019

**Appendix 2: Cherwell Local Plan Partial Review  
Inspector's Report**



The Planning Inspectorate

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# **Report to Cherwell District Council**

**by Paul Griffiths BSc(Hons) BArch IHBC**  
**an Inspector appointed by the Secretary of State**

**Date: 6 August 2020**

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Planning and Compulsory Purchase Act 2004

(as amended)

Section 20

## **Report on the Examination of the Cherwell Local Plan 2011 - 2031 (Part 1) Partial Review – Oxford's Unmet Housing Need**

The Plan was submitted for examination on 5 March 2018

The examination hearings were held on 28 September 2018 and 5, 6, 12 and 13 February 2019

File Ref: PINS/C3105/429/5

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## Abbreviations used in this report

DtC	Duty to Co-operate
GI	Green Infrastructure
HMA	Housing Market Area
HRA	Habitats Regulations Assessment
Local Plan 2015	The Cherwell Local Plan adopted in 2015
MM	Main Modification
The Framework	The National Planning Policy Framework (2012)
OGB	Oxfordshire Growth Board
The Plan	The Cherwell Local Plan 2011 – 2031 (Part 1) Partial Review – Oxford’s Unmet Housing Need
PPG	Planning Practice Guidance
SHMA 2014	Strategic Housing Market Assessment 2014
SHLAA	Strategic Housing Land Availability Assessment
SA	Sustainability Appraisal
SSSI	Site of Special Scientific Interest

## **Non-Technical Summary**

This report concludes that the Cherwell Local Plan 2011 – 2031 (Part 1) Partial Review – Oxford’s Unmet Housing Need (the Plan) provides an appropriate basis for the District to meet its commitment to dealing with the unmet housing need of the City of Oxford, provided that a number of main modifications (MMs) are made to it. Cherwell District Council has specifically requested that I recommend any MMs necessary to enable the Plan to be adopted.

Following the hearings, the Council prepared a schedule of proposed modifications and carried out sustainability appraisal (SA) of them, alongside a series of other assessments, including an addendum Habitats Regulations Assessment (HRA), and a second Addendum to the Green Belt Study. The MMs were subject to public consultation over a six-week period. I have recommended their inclusion in the Plan after considering the SA and associated assessments and studies, and all the representations made in response to consultation on them.

The Main Modifications can be summarised as follows:

- MMs to address the deletion of the Policy PR10 (Woodstock) allocation;
- MMs required to address the resulting shortfall in housing;
- MMs to ensure the allocation policies function effectively;
- MMs to make effective the supporting policies; and
- A number of other modifications to ensure that the plan is positively prepared, justified, effective and consistent with national policy.

## Introduction

1. This report contains my assessment of the Cherwell Local Plan 2011 – 2031 (Part 1) – Oxford’s Unmet Housing Need (the Plan) in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan’s preparation has complied with the duty to co-operate (DtC). It then considers whether the Plan is compliant with the legal requirements and whether it is sound. The National Planning Policy Framework 2012 (paragraph 182) (the Framework) makes it clear that in order to be sound, a Local Plan should be positively prepared, justified, effective and consistent with national policy.
2. The revised National Planning Policy Framework was published in July 2018 and further revised in February 2019. It includes a transitional arrangement in paragraph 214 which indicates that, for the purpose of examining this Plan, the policies in the 2012 Framework will apply. Similarly, where the Planning Practice Guidance (PPG) has been updated to reflect the revised Framework, the previous versions of the PPG apply for the purposes of this examination under the transitional arrangement. Therefore, unless stated otherwise, references in this report are to the 2012 Framework and the versions of the PPG which were extant prior to the publication of the 2018 Framework.

## Main Modifications

3. In accordance with section 20(7C) of the 2004 Act the Council requested that I should recommend any MMs necessary to rectify matters that make the Plan unsound and thus incapable of being adopted. My report explains why the recommended MMs are necessary. The MMs are referenced in bold in the report in the form **MM 1, MM 2** etc, and are set out in full in the attached Appendix with my (very minor) changes in ~~strikethrough~~ for deletions and **red** for additions.
4. Following the examination hearings, the Council prepared a schedule of proposed MMs and alongside that produced a Cherwell Green Belt Study (Second Addendum); a Cherwell Water Cycle Study Addendum; Ecological Advice Cumulative Impacts Addendum; HRA Stage 1 and Stage 2 Addendum; a Landscape Analysis for Policy PR9; a Transport Assessment Addendum; a Site Capacity Sense Check; a Local Plan Viability Assessment Addendum; a Policy PR7b Highways Update; a SA Addendum (including a non-technical summary); a Statement of Consultation Addendum; additional information on the significance of trees; an Equality Impact Assessment; and a DtC Addendum. The MM schedule and its attendant documentation was subject to public consultation for six weeks. I have taken account of the consultation responses in coming to my conclusions in this report.

## Policies Map

5. The Council must maintain an adopted policies map which illustrates geographically the application of the policies in the adopted development plan. When submitting a local plan for examination, the Council is required to provide a submission policies map showing the changes to the adopted policies map that would result from the proposals in the submitted local plan. In this case, the submission policies map comprises the annotated map in Appendix 1

to the Plan, along with various, larger scale, policy-specific Policies Maps inserted in the text.

6. The policies map is not defined in statute as a development plan document and so I do not have the power to recommend main modifications to it. However, a number of the published MMs to the Plan’s policies require further corresponding changes to be made to the policies map. These further changes to the policies map were published for consultation alongside the MMs and given a MM number. I have included them, in the interests of clarity, in the Schedule of Main Modifications in the Appendix to this report, but I have amplified their wording to reflect the fact that revised versions of the various Policies Maps are not attached to this report, but can be found in the submitted modifications.
7. When the Plan is adopted, in order to comply with the legislation and give effect to the Plan’s policies, the Council will need to update the adopted policies map to include all the changes published alongside the MMs. I have referred to these in what follows below.

## **Context of the Plan**

8. In the Cherwell Local Plan, adopted in 2015 (Local Plan 2015), the Council undertook to continue working with all other Oxfordshire authorities as part of the DtC to address the need for housing across the Housing Market Area (HMA). The authorities concerned had all understood that the City of Oxford might not be able to accommodate all of its housing requirement for the 2011-2031 period within its own boundaries.
9. The Local Plan 2015 made clear that if joint work revealed that the Council, and other neighbouring authorities, needed to meet additional need for Oxford, then this would trigger a ‘Partial Review’ of the Local Plan 2015. As set out below, that joint work has revealed just such a requirement. The resulting ‘Partial Review’ is the Plan under examination here.
10. It is useful to recognise too the challenges faced by the City of Oxford. It is the driver of the County’s economy and makes a significant contribution to the national economy. Alongside other constraints, the tightness of the Green Belt boundary around the city leads to intense development pressure because of the demand for market housing, the need for more affordable housing, and the parallel economic priority that must be given to key employment sectors.

## **Public Sector Equality Duty**

11. I have had due regard to the aims expressed in S149(1) of the Equality Act 2010. This has included my consideration of several matters during the examination, notably the provision of affordable housing.

## **Assessment of Duty to Co-operate**

12. Section 20(5)(c) of the 2004 Act requires that I consider whether the Council complied with any duty imposed on it by section 33A in respect of the Plan’s preparation.

13. In March 2014, prior to the publication of the Strategic Housing Market Assessment (SHMA 2014), the Oxfordshire Councils agreed a process, through a Statement of Cooperation, to address the SHMA’s conclusions on housing need, anticipating that there would be unmet need arising from Oxford. Prior to that date, the Councils concerned had been working together as the Spatial Planning and Infrastructure Partnership. This became the Oxfordshire Growth Board (OGB) – a joint committee of six Oxfordshire Councils alongside other bodies including Oxford Universities, the Environment Agency, Network Rail, and the Highways Agency.
14. In November 2014, the OGB agreed that there was limited capacity in Oxford to accommodate the homes required and the resulting shortfall would have to be provided for in neighbouring Districts. A joint work programme was agreed through the OGB for considering the level of that unmet housing need, and the manner in which it could be divided between neighbouring authorities.
15. Oxford City’s Strategic Housing Land Availability Assessment (SHLAA) set out the potential sources of supply in Oxford. After testing, the OGB agreed, in November 2015, that Oxford’s overall need was 28,000 homes and that 13,000 could be provided within the confines of Oxford itself. That left an unmet housing need for Oxford of 15,000 homes.
16. The OGB then went on to consider how that figure of 15,000 should be apportioned. This was informed by, amongst other things, a review of the urban capacity of Oxford, a Green Belt Study to assess the performance of the Oxford Green Belt against Green Belt purposes, and sustainability testing of spatial options. This led to a decision by the OGB that the final unmet need figure was 14,850 homes and of that total, Cherwell District should accommodate 4,400 homes. That figure forms the basis of the Plan before me.
17. I deal with the provenance of the figures below because they are a separate matter. In pure DtC terms, it is abundantly clear from the process set out above that the Council has engaged through the OGB, constructively, actively and on an on-going basis, in the preparation of the Plan. The duty has therefore been met.

## **Assessment of Other Aspects of Legal Compliance**

18. The Plan has been prepared in accordance with the Council’s Local Development Scheme.
19. Consultation on the Plan and the MMs was carried out in compliance with the Council’s Statement of Community Involvement.
20. Sustainability Appraisal has been carried out and is adequate.
21. The HRA Stage 1 and Stage 2 Addendum, viewed alongside the original HRA sets out that a full assessment has been undertaken and that while the plan may have some negative impact which requires mitigation, that this mitigation has been secured through the Plan, as modified.

22. The Development Plan, that is this Partial Review viewed alongside the adopted Cherwell Local Plan 2015, includes policies to address the strategic priorities for the development and use of land in the area.
23. The Development Plan, taken as a whole, includes policies designed to ensure that the development and use of land in the local planning authority’s area contribute to the mitigation of, and adaptation to, climate change.
24. The Plan complies with all other relevant legal requirements, including in the 2004 Act (as amended) and the 2012 Regulations.

## **Assessment of Soundness**

### **Main Issues**

25. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearings, I have identified seven main issues upon which the soundness of this plan depends.
26. This report deals with these main issues. It does not respond to every point or issue raised by representors. Nor does it refer to every policy, or policy criterion in the Plan.

### **Issue 1: Have the figures for Oxford’s unmet need, and the apportionment for Cherwell been justified?**

27. As outlined above, informed by the SHMA 2014 and the SHLAA, the OGB concluded that Oxford has an unmet need of 14,850 homes between 2011 and 2031, and that of that total, Cherwell should accommodate 4,400 homes in the period to 2031.
28. It is relevant to note too that the OGB decided that of that 14,850 figure, alongside Cherwell’s apportionment, Oxford itself should accommodate 550, South Oxfordshire 4,950, the Vale of White Horse 2,220, and West Oxfordshire 2,750. I say this is relevant because Inspectors conducting examinations in West Oxfordshire and the Vale of White Horse in relatively recent times have accepted the figures set out above, concluding that the process by which they were produced was a robust and reasonably transparent one.
29. However, at the hearings I conducted, informed in part by a critical review of the SHMA 2014 and the Oxford City SHMA Update 2018 carried out by Opinion Research Services, there was much criticism of the way Oxford City Council had calculated their overall housing need, and their unmet need, with the suggestion being that if the city concentrated more on providing housing rather than employment sites, then they could reduce the pressures on neighbouring authorities. It is not for me to examine Oxford’s calculations but I am able to observe that the Inspectors who examined the Oxford Local Plan 2036, that was adopted on 8 June 2020, accepted Oxford’s overall housing figures, the extent of unmet need, and the balance between housing and employment sites the city had struck.

30. In that overall context, I find no fault in the way the OGB have approached the difficult problem of identifying Oxford’s unmet housing needs and apportioning them between the different authorities involved.
31. I am aware of the 2018-based household projections that were released by the Office for National Statistics on 29 June 2020. However, as I have outlined above, the 4,400 figure that the Plan seeks to address is derived from the inputs into and the approach adopted in the preparation of the Oxford Local Plan 2036. Those inputs, and the approach, have been found sound and the Oxford Local Plan 2036 has now been adopted. The 2018-based projections do not alter the validity of the approach taken by the OGB, or the fact that plans in Oxford, and other neighbouring Districts, have now been adopted. This represents significant progress in meeting Oxford’s housing needs, and the adoption of the Plan before me will ensure that another piece of the jigsaw is put in place.

### *Conclusion*

32. As a result, I conclude that the figure for Oxford’s unmet need, and the apportionment for Cherwell, have been justified and form a robust basis for the Plan.

### **Issue 2: Have the vision and spatial strategy of the Plan been positively prepared and are they justified and effective?**

33. It is useful to start by looking at the way the Council considered the options available to meet their commitment to meeting their portion of Oxford’s unmet need through the SA process. Nine areas of search were identified as potential locations for the housing required: Option A: Kidlington and the surrounding area; Option B: North and East of Kidlington; Option C: Junction 9 of the M40 motorway; Option D: Arncott; Option E: Bicester and the surrounding area; Option F: RAF Upper Heyford and the surrounding area; Option G: Junction 10 of the M40 motorway; Option H: Banbury and the surrounding area; and Option I: Remainder of District/Rural dispersal.
34. Informed by the evidence base, including the SA, and a consultation process, Options C to I (inclusive) were ruled out on the basis that they are too remote from Oxford to accommodate communities associated with the city; they are too far away from Oxford to be well-connected by public transport or walking or cycling, and therefore likely to result in increased use of the private car; more dispersed options provide less potential for infrastructure investment in terms, for example, of transport and education; and significant additional housing could not be built at Bicester, Banbury and RAF Upper Heyford before 2031 alongside major commitments already made in the adopted Local Plan 2015. On top of that, it was concluded that Options C to I (inclusive) would have a greater detrimental impact on the development strategy for the District set out in the Local Plan 2015.
35. Notwithstanding that they are largely located in the Oxford Green Belt, Options A and B were considered by the Council to be much better solutions to meeting the unmet need. They were identified as such largely because of their proximity to Oxford with public transport links already available and ready potential to maximise its use, alongside cycling and walking, thereby creating

travel patterns that are not reliant on the private car. Moreover, these areas already have a social and economic relationship with the city that can be bolstered. Importantly too, these options would allow affordable homes to be provided to meet Oxford’s needs close to the source of that need. Finally, the proximity to Oxford and separation from other centres of population in Cherwell means that Options A and B would be unlikely to significantly undermine the development strategy in the Local Plan 2015.

36. That selection process, underpinned by the SA, which has fed into the vision and spatial strategy of the Plan, is logically based, and robust.
37. The Plan’s vision is to meet Oxford’s unmet housing need through the creation of balanced and sustainable communities that are well-connected to Oxford. The developments are intended to attain a high standard of contextually-appropriate design that is supported by infrastructure. A range of housing types is to be provided to cater for a range of incomes, reflecting Oxford’s diversity. Development must contribute to health and well-being and respond well to the natural environment.
38. That vision is augmented by a series of four Strategic Objectives intended to be read alongside those in the Local Plan 2015. SO16 commits the Council to work with Oxford City, and Oxfordshire County Councils and others, to deliver Cherwell’s contribution to meeting Oxford’s unmet housing need along with the associated infrastructure by 2031. In SO17 the Council undertakes to provide Cherwell’s contribution to meeting Oxford’s unmet housing need so that it supports the projected economic growth envisaged in the SHMA 2014 and the local economies of Oxford and Cherwell. SO18 ties the Council to providing well-designed housing for Oxford that provides ready access to homes for those in need of affordable housing, new entrants to the housing market, key workers, and those requiring access to the main employment centres in the city. Finally, SO19 seeks to ensure that the housing is provided in a way that complements the County Council’s Local Transport Plan, including the Oxford Transport Strategy, and facilitates improvements to the availability of sustainable transport options for gaining access to Oxford
39. In seeking to address the pressing needs of a neighbouring authority in such a transparent and cooperative way, this vision is obviously positively prepared. On top of that, it results from a robust process and is thereby justified.
40. The vision and strategic objectives are then fed into a spatial strategy. In simple terms, the idea behind the spatial strategy is to locate development along the A44/A4260 corridor on a range of sites around North Oxford on land west and east of the Oxford Road (Policies PR6a and PR6b), with land at Frieze Farm reserved for a replacement golf course, if required (Policy PR6c); near Kidlington, on land south east of the settlement (Policy PR7a) and at Stratfield Farm (Policy PR7b); near Begbroke (Policy PR8); near Yarnton (Policy PR9); and near Woodstock (Policy PR10).
41. Leaving aside site-specific matters, especially around the site proposed adjacent to Woodstock, that I move on to below, the spatial strategy follows closely the cogent vision outlined by the Council. In particular, the proximity of (most of) the sites to Oxford itself, and the A44, takes advantage of existing social and economic relationships between these areas and the city and



maximises the potential to create travel patterns that obviate the need for the use of the private car. Further, (most of) the sites would place affordable housing designed to meet Oxford’s needs as close as practicable to the city, along a line of communication (the A44) that would facilitate easily accessible means of travelling into the city by bus or cycling.

42. It is important too that, separated from the centres of development in the Cherwell Local Plan 2015 and Banbury, Bicester and RAF Upper Heyford in particular, these sites are unlikely to have a significant impact on the delivery of housing designed to meet Cherwell’s own needs.

### *Conclusion*

43. Taking all these points together, the vision and spatial strategy of the Plan have been positively prepared; they are justified; and likely to be effective. That said, most of the sites identified lie within the Oxford Green Belt and if adopted, the Plan will result in areas of land being removed from the Green Belt. I turn to that issue next.

### **Issue 3: Are the exceptional circumstances necessary to justify the alterations to Green Belt boundaries proposed in the Plan in place so that the Plan is consistent with national policy?**

44. Paragraph 83 of the Framework says that once established, Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan. Evidently, in preparing a Plan that proposes changes to the boundaries of the Oxford Green Belt, the Council has met the second part of that requirement.
45. In relation to the first part, there a number of factors in play that combined, lead me to the firm conclusion that the exceptional circumstances necessary to justify the alterations proposed to Green Belt boundaries have been demonstrated.
46. Chief amongst these is the obvious and pressing need to provide open-market and affordable homes for Oxford; a need that Oxford cannot meet itself. On top of that, in seeking to accommodate their part of Oxford’s unmet need, the Council has undertaken a particularly rigorous approach to exploring various options. That process has produced a vision and a spatial strategy that is very clearly far superior to other options. There is a simple and inescapable logic behind meeting Oxford’s open market and affordable needs in locations as close as possible to the city, on the existing A44/A4260 transport corridor, with resulting travel patterns that would minimise the length of journeys into the city, and not be reliant on the private car. On top of that, existing relationships with the city would be nurtured. Finally, this approach is least likely to interfere with Cherwell’s own significant housing commitments set out in the Local Plan 2015.
47. It is important to note too the scale of what is proposed. The Oxford Green Belt in the District of Cherwell covers 8,409 Ha. As submitted, and I come on to further removals below, the Plan makes provision in Policy PR3 for the removal of 253 Ha, a reduction of 3%. That is a relatively small reduction that

must be seen in the context of the regional and indeed national benefits that would flow from meeting Oxford’s unmet need in such a rational manner.

48. On top of that, as the evidence base, and notably the Green Belt Studies, show that while existing built-up areas of Oxford, Kidlington, Begbroke and Yarnton would be extended into the surrounding countryside, there would be clear, defensible boundaries, both existing ones that could be strengthened further as part of development proposals, and new ones, and whilst the release of some land parcels would result in harm, the overall sense of separation between Kidlington and Oxford in particular, would not be harmfully reduced. Further, the setting and special character of Oxford would not be adversely affected. In that context, the purposes of the Green Belt, as set out in paragraph 80 of the Framework, would not be undermined to any significant degree.

### *Conclusion*

49. Overall, it is my judgment that the exceptional circumstances necessary to justify the alterations to Green Belt boundaries proposed in the Plan are in place. The Plan is therefore consistent with national policy.

### **Issue 4: Are the sites proposed for allocation appropriately located in accordance with the Plan’s spatial strategy and thereby justified?**

50. The sites proposed for housing in North Oxford (Policies PR6a – Land East of Oxford Road and PR6b – Land West of Oxford Road); Kidlington (Policy PR7a – Land South East of Kidlington and Policy PR7b – Land at Stratfield Farm); Begbroke (Policy PR8 – Land East of the A44); and Yarnton (Policy PR9 – Land West of Yarnton) are relatively close to the boundaries of Oxford itself, adjacent to the A44/A4260, and in the case of the North Oxford sites, very close to Oxford Parkway Railway Station. All would have easy access to modes of travelling into the city that need not involve the private car and would provide opportunities to improve those facilities. Moreover, they would site housing and affordable housing close to where the need is located.
51. As such, this group of sites sit comfortably with the Plan’s spatial strategy and their allocation to meet Oxford’s unmet housing need has been justified.
52. That leaves the site proposed for housing adjacent to Woodstock (Policy PR10 – Land South East of Woodstock), a settlement that is in the district of West Oxfordshire. Lying outside the Oxford Green Belt, this site lies well beyond Begbroke and Yarnton. It would be identified more as a part of Woodstock than Oxford.
53. Moreover, while it would bound the A44 and benefit from its proximity to London Oxford Airport and the potential Park and Ride service between it and Oxford, and existing bus services, it is too far away from Oxford to make travelling into the city by means other than the private car sufficiently attractive. Walking would be out of the question, and cycling would only be a reasonable proposition for those who are particularly keen.
54. On top of that, the site itself has difficulties in that as a result of recently approved housing that is under construction, the south east boundary of

Woodstock is well-defined. Its further extension in a south-easterly direction would appear incongruous and damage the character and appearance of the area. While not on its own a significant issue, this incongruity would cause some harm to the setting, and thereby the significance of the Blenheim Palace World Heritage Site that lies to the west of the proposed allocation. The challenges of developing the site in an acceptable way are evident in the rather contorted way in which housing on the site would be arranged in relation to green space and the need for screening woodland as shown on the Policy PR10 Policies Map.

55. All these latter points add weight to my fundamental concern about the separation between the proposed allocation and Oxford itself. This, considered alongside the difficulties around gaining access to the city by modes other than the private car, means that the site does not accord with the spatial strategy set out in the Plan. It is not, therefore, justified and Policy PR10 that allocates the site for housing, along with its supporting text must be removed **[MM124 and MM 126]**. The Policy PR10 Policies Map will need to be removed too [advertised by the Council as **MM 125**].
56. There are consequential changes required throughout the Plan **[MM 1, MM 2, MM 8, MM 9, MM 11, MM 22, MM 23, MM 24, MM 25, MM 26, MM 27, MM 28, MM 36, MM 37, MM 40, MM 128, MM 129, and MM 130]**.

#### *Conclusion*

57. The group of proposed allocations closest to Oxford (at North Oxford, Kidlington, Begbroke, and Yarnton) are fully in accord with the Plan’s spatial strategy and have therefore been justified. The site proposed for allocation adjacent to Woodstock is not in accord with that spatial strategy, has not been justified, and must therefore be removed from the Plan.
58. That removal has consequences, not least the fact that it leaves the Plan 410 dwellings short of meeting Cherwell’s apportionment of Oxford’s unmet need. That leads me on to Issue 5.

#### **Issue 5: Have the ramifications of the deletion of the proposed Policy PR10 allocation been dealt with in a manner that is justified and effective?**

59. In setting out to the Council my reasons why the proposed Policy PR10 allocation should be deleted I also made some suggestions as to how the Council might approach the 410 dwelling shortfall that would result. Following on from discussions around residential densities and land take, I made the point that to best accord with the spatial strategy, these 410 dwellings could potentially be spread around the other allocations, with increased densities, and perhaps a western extension of developed area of the Policy PR9 site, with the possibility of housing on the Policy PR6c site (Land at Frieze Farm) reserved for a replacement golf course, if required, but left it to the Council to explore options.
60. To inform that process, the Council carried out further work, notably the Cherwell Green Belt Study (Second Addendum); a Site Capacity Sense Check; a Landscape Analysis for Policy PR9; and a SA Addendum (including a non-technical summary). Having done that, the conclusion drawn was that the

shortfall caused by the deletion of the Policy PR10 allocation could best be accommodated by increasing the amount of housing on five of the remaining six sites, with, in some cases, adjustments to developable areas, site boundaries, and the extent of land to be removed from the Green Belt. Having regard to the additional work the Council carried out, I am satisfied that as a principle, that is the approach that best reflects the spatial strategy.

### ***Policy PR6a***

61. In the form submitted, Policy PR6a – Land East of Oxford Road allocated 48 Ha of land for the construction of 650 dwellings (50% affordable housing) as an urban extension to Oxford at an approximate net density of 40 dwellings per Ha. Also included were a three-form entry primary school (3.2 Ha), a local centre (0.5 Ha), on land to be removed from the Green Belt, alongside sports facilities, play areas, allotments and public open green space as an extension to Cutteslowe Park (11 Ha). The allocation also referred to the creation of a green infrastructure (GI) corridor (8 Ha) connecting Cutteslowe Park with Oxford Parkway Railway Station and the Water Eaton Park and Ride facility and the retention of 3 Ha of the site as agricultural land.
62. At this point it is relevant to deal with the reference to ‘approximate net density’ in Policy PR6a, and in the other allocation policies. Clearly, much well-informed work has gone into the analysis of what this site, and other sites, can accommodate and the policy, along with others, is crystal clear about the number of dwellings to be provided. In that context, the reference to ‘approximate net density’ is superfluous. The same point can be made about the other allocations.
63. Further analysis has demonstrated that the density proposed for the residential element of the allocation is reasonable. Having said that, the Education Authority has confirmed that the required primary school need only be two- rather than three-form entry. This reduces the land take for the school from 3.2 Ha to 2.2 Ha. There is no good reason why the 1 Ha gained should not be given over to housing. This increases the housing capacity of the allocation from 650 dwellings to 690 dwellings. Changes to the Plan [**MM 3**, **MM 17**, the change advertised as **MM 45** but amended in the interests of clarity, **MM 46**, and **MM 47**] are required to reflect this increase, and the reasons behind it, and to make the policy, and the Plan, effective.

### ***Policy PR6b***

64. As submitted, Policy PR6b – Land West of Oxford Road proposed an urban extension to the city of Oxford on 32 hectares of land currently occupied by the North Oxford Golf Club with 530 dwellings (50% affordable housing) on 32 Ha of land at an approximate average net density of 25 dwellings per Ha. Land was also reserved within the site to allow for improvements to the existing footbridge over the railway on the western boundary of the site to improve links to the ‘Northern Gateway’ site which is an allocation in the recently adopted Oxford Local Plan 2036. The intention is to remove the entire site from the Green Belt.
65. Following the main hearings, I made plain that notwithstanding the value placed on the North Oxford Golf Club, the site it occupies is an excellent one for the sort of housing the Plan proposes, given its location so close to Oxford

Parkway, with its Park & Ride, and its proximity to the centre of Oxford. The principle of the allocation is sound, therefore.

66. Moreover, Policy PR6c – Land at Frieze Farm allocates land for a replacement golf course and from what I saw of the existing course, it could, if necessary, provide equivalent or better provision in terms of quantity and quality, on a site very close to the existing facility.
67. The relatively low density of housing proposed reflected the presence of many mature trees on the golf course. Further and closer inspections of the trees have revealed that the low density proposed was unnecessarily cautious and that the density of development could be increased without having to remove any important individual specimens or groups of trees. Moreover, reflective of the position of the site as a ‘gateway’ to the city, the site could accommodate higher density housing types, not just detached or semi-detached dwellings. All this would allow the overall density to be increased to 30 dwellings per hectare which would mean that the allocation could provide for 670 dwellings, an increase of 140, overall.
68. Changes to the Plan [**MM 4, MM 18, and MM 59**] are required to reflect this uplift, the reasons behind it, and as outlined above, to remove the reference to approximate average net density, to make it function effectively.

### ***Policy PR7a***

69. Policy PR7a – Land South East of Kidlington, as submitted, proposed an extension to Kidlington on 32 Ha on land with 230 dwellings (50% affordable housing) on the northern portion (proposed for removal from the Green Belt) at an approximate average net density of 35 dwellings per Ha, with play areas and allotments, and 0.7 Ha of land reserved for an extension to the existing Kidlington Cemetery. The southern part of the allocation (that would remain within the Green Belt) was to provide around 21 Ha of formal sports facilities.
70. Bearing in mind the way that the settlement of Kidlington approaches the Kidlington roundabout, and the proposed Policy PR7b allocation, that I move on to below, the southern boundary of the area proposed for housing and to be removed from the Green Belt appears arbitrary. Further exploration has shown that extending it southward to follow an historic field boundary would give the site a more logical relationship with development on the opposite side of Bicester Road (a Sainsbury’s supermarket complex), and the allocation proposed in Policy PR7b, and allow the allocation to make provision for an additional 200 dwellings, applying the same density metric allowed for the rest of the site. The parallel reduction in formal sports provision is in line with the Council’s Playing Pitch Strategy (2018).
71. There would need to be additional land removed from the Green Belt but the boundary so formed would be much more likely to endure, and the sense of separation between Kidlington and Oxford would be largely maintained. As a result, the purposes of the Green Belt would not be harmed to any significant, additional degree. On that basis, bearing in mind the conclusions I have drawn above about the principle of removing land from the Green Belt to meet Oxford’s unmet need, I am satisfied that the exceptional circumstances necessary to justify this additional removal are in place.

72. To make it effective, the Plan needs to be updated [**MM 5, MM 19, MM 74 and MM 75**] to reflect that additional housing coming forward as part of the allocation, and to remove the reference to approximate average net density. There is a change needed too [**MM 69**] to paragraph 5.90 of the supporting text to reflect properly the situation in relation to the relationship between the allocation and existing field boundaries. This correction is needed in order to ensure the supporting text accurately and effectively supports the policy itself.
73. There will be consequential changes required to the Policies Map [advertised by the Council as **MM 72** but amended in the interests of clarity] and to clear up some confusion with the policy text that refers to GI [advertised by the Council as **MM 73** but amended in the interests of clarity].

### **Policy PR7b**

74. In its submitted form, Policy PR7b – Land at Stratfield Farm allocated 10.5 Ha of land as an extension to Kidlington with 100 dwellings (50% affordable housing) proposed on 4 Ha (an approximate average net density of 25 dwellings per Ha) with associated play areas and allotments (all to be removed from the Green Belt). Also included was the improvement, extension and protection of an existing orchard linked to Stratfield Farmhouse (a Grade II listed building), the creation of a nature conservation area on 6.3 Ha of land, and links to other allocated sites (Policy PR8 across the Oxford Canal and sporting facilities that form part of Policy PR7a) and Oxford Parkway.
75. The allocation has significant constraints, notably capacity at the Kidlington Roundabout, the need to protect as far as possible the farm complex, and its setting, the presence of trees and woodlands, and the relationship with the Stratfield Brake. However, further analysis of capacity at the Kidlington Roundabout, potential layouts, and reducing the size of the nature conservation area by 1 Ha, alongside expansion of the developable area of the site which will ensure that the revised Green Belt Boundary follows a physical feature, in this case an established field boundary, without any significant increase in harm, has shown that 120 dwellings could be accommodated on 5 Ha earmarked for residential development without threatening any of the identified constraints.
76. As with Policy PR7a that I refer to above, there would need to be additional land removed from the Green Belt but this would not result in a significant increase in harm, and the Green Belt boundary so formed would follow a physical feature likely to endure, the sense of separation between Kidlington and Oxford would be maintained, and the relationship between the Policy PR7b allocation, the Policy PR7a allocation, and the Sainsbury’s Supermarket between them would be a logical one. As a consequence, the purposes of the Green Belt would not be harmed to any significant, additional degree.
77. On that basis, bearing in mind the conclusions I have drawn above about the principle of removing land from the Green Belt to meet Oxford’s unmet need, I am satisfied that the exceptional circumstances necessary to justify this additional removal are in place.
78. Changes are needed to take account of this increase in housing provision and to make Policy PR7b, and thereby the Plan, effective [**MM 6, MM 20, MM83,**

**and MM 84].** Amendments relating to Stratfield Farmhouse in paragraphs 5.95 and 5.96 of the supporting text are also necessary to properly reflect its aspect and position in relation to the associated orchard **[MM 70]** and to ensure it is one of the parameters for development **[MM 71]**. These changes are required in order to ensure the supporting text accurately and effectively supports the policy itself. There are associated changes required to the Policies Map too [advertised by the Council as **MM 82** but amended in the interests of clarity].

### ***Policy PR8***

79. Policy PR8 – Land East of the A44 as proposed in the Plan proposes a new urban neighbourhood on 190 Ha of land to the north of Begbroke and east of Kidlington. The allocation makes provision for 1,950 dwellings (50% affordable housing) on approximately 66 Ha of land (an approximate average net density of 45 dwellings per Ha), alongside a secondary school on 8.2 Ha of land, a three form entry Primary School on 3.2 Ha of land, a two form entry Primary School on 2.2 Ha, a Local Centre on 1 Ha of land as well as sports facilities and play areas. That area is to be removed from the Green Belt. Also included are a Local Nature Reserve on 29.2 Ha of land based around the Rowel Brook, a nature conservation area on 12.2 Ha of land to the east of the railway line, south of the Oxford Canal and north of Sandy Lane, public open space as informal canalside parkland on 23.4 Ha of land and 12 Ha of land retained in agricultural use.
80. There are to be new public bridleways connecting with existing rights of way and provision for a pedestrian, cycle, and wheelchair bridge over the Oxford Canal and public bridleways to allow connection with the allocation at Stratfield Farm (Policy PR7b) and beyond. Land within the allocation is to be reserved for a future railway station (0.5 Ha) and to allow for the future expansion of the Begbroke Science Park (14.7 Ha).
81. Bearing in mind the relatively high density proposed for the dwellings as part of the allocation, there is no capacity for any increase in housing numbers. That said, as set out, the reference to approximate average net density is superfluous, given that the number of houses to be provided, and details of other requirements are explicitly set out, and needs to be removed **[MM 95]** to make the policy and the Plan effective.

### ***Policy PR9***

82. In the Plan as submitted, Policy PR9 – Land West of Yarnton proposes the development of an extension to Yarnton on 99 Ha of land to include 530 dwellings (50% affordable housing) on 16 Ha (an approximate average net density of 35 dwellings per Ha). On top of the 16 Ha, 1.6 Ha of land is set aside for use by the William Fletcher Primary School to enable expansion and replacement of playing pitches and amenity space. The developable area and land reserved for the primary school is proposed for removal from the Green Belt. Provision for formal sports, play areas and allotments within the developable area (unless shared or part shared with the school) is required along with public access to 74 Ha of land to the west of the residential area and a new Local Nature reserve accessible to the school. There is to be a community woodland in 7.8 Ha of land to the north west of the developable area, to the east of Dolton Lane.

83. Further discussions have shown that the area set aside for the school should be 1.8 Ha. Alongside that, analysis following the hearings has shown that while it would entail further removal of land from the Green Belt, extending the developable area to the west up to the 75m contour, which is approximately the lower end of this topography, would still avoid the greater harm associated with the release of the higher slopes.
84. However, the site does have significant constraints, not least the need to relate properly to the nature of the existing settlement, and it appears that the residential density originally proposed was optimistic. The upshot of an extended developable area, with additional land take from the Green Belt, and a reduced density is that the site can reasonably accommodate 540 dwellings.
85. Changes are required to the policy to address the increase in developable area to 25 Ha, the number of houses to 540, and to delete the reference to approximate average net density **[MM 7, MM21, MM 113]**, and the change relating to the school **[MM 114]**. Balancing changes need to be made to the area of accessible land (redefined as public open green space) which reduces to 24.8 Ha **[MM 115]** with the balance of 39.2 Ha being retained in agricultural use **[MM 116]**. The nature of the access to the countryside that will result needs to be properly explained in paragraph 5.121 of the supporting text **[MM 111]**. There will need to be corresponding changes to the Policies Map to take account of all that [advertised by the Council as **MM 112** but amended in the interests of clarity].
86. There would need to be additional land removed from the Green Belt but as stated above the Green Belt boundary so formed would correspond to the lower end of the topography and a new Green Belt edge could be established. Moreover, it would have no undue impact in landscape terms, and the impact of the change on the purposes of Green Belt would be marginal, in the light of the original deletion proposed. On that basis, bearing in mind the conclusions I have drawn above about the principle of removing land from the Green Belt to meet Oxford’s unmet need, I am satisfied that the exceptional circumstances necessary to justify this additional removal are in place.

### *Conclusion*

87. The result of these changes to Policies PR6a, PR6b, PR7a, PR7b, PR8 and PR9, alongside others that I move on to below, is to reinstate the 410 dwellings lost from the overall requirement of 4,400 as a result of the deletion of the Policy PR10 allocation.
88. While I acknowledge that this involves further Green Belt releases, exceptional circumstances have been made out for them. Overall, I consider that the ramifications of the deletion of the Policy PR10 allocation been dealt with in a manner that is justified and effective.

### **Issue 6: Are the remaining elements of the allocation policies, including Policy PR6c, justified, effective and compliant with national policy?**

89. While I acknowledge the need to cover a lot of ground in them, it is fair to say that what remains of the individual allocation Policies PR6a, 6b, 7a, 7b, 8 and 9 after their adjustment to account for the deletion of the PR10 allocation is



lengthy, and broad in its compass. I make no criticism but would observe that the scrutiny through the examination process has resulted in a myriad of changes that as part of the policies themselves, need to be dealt with as MMs.

90. Some of these changes, required to make the policies effective, are common to all of them. Each allocation policy contains a criterion directed towards the production of Development Briefs. In each case, it needs to be made clear that minor variations in the location of specific uses from what is shown on the Policies Maps (as revised) will be permitted, where shown to be justified [**MM 49, MM 60, MM 76, MM 86, MM 99, and MM 117**].
91. In a similar way, each of the allocation policies outlines the need for a Phase I Habitat Survey. To explain what is required fully, it needs to be made plain that this must include surveys for protected and other notable species, as appropriate [**MM 52, MM 62, MM 77, MM 89, MM 103 and MM 119**].
92. On top of that, all the allocation policies as drafted contain a criterion that deals with foul drainage and the need for the developer to demonstrate that Thames Water have agreed that it can be accepted into its network. To function effectively, these criteria need to be broadened out to include reference to the Environment Agency as well as Thames Water, and to be more specific about the agreement reached to allow foul drainage to be accepted into the existing network [**MM 54, MM 64, MM 78, MM 90 MM 106 and MM 120**].
93. None of the allocation policies include a criterion designed to deal with issues around the re-use and improvement of soils. All the sites are green field, or in the case of the Policy PR6b site, cultivated to function as a golf course, and it is evident that there will be a need for soil to be removed. It is an important part of mitigation to ensure that this is re-used in an environmentally effective manner and this needs to be secured in the individual policies to ensure effectiveness [**MM 56, MM 65, MM 80, MM 93, MM 109 and MM 122**].
94. Each of the allocation policies refers to the need for a Delivery Plan including a start date, and a demonstration to show how the development would be completed by 2031. As drafted, the policies set out the need for a programme showing how a five-year supply of housing (for the site) will be maintained year on year. The inclusion of the term (for the site) introduces a rather inflexible element. The important point is that all sites designed to meet Oxford’s unmet need should act in concert to maintain a five-year supply. To be effective, and comply with national policy, the relevant criterion in each allocation policy must be changed to reflect that by the deletion of (for the site) in each case [**MM 57, MM 67, MM 81, MM 94, MM 110, and MM 123**].
95. Archaeology is the subject of a criterion in each of the allocation policies with reference to the need for desk-based archaeological investigations and subsequent mitigation measures, if found to be necessary. However, to be properly effective, the relevant criterion needs to be more specific and explain that the outcomes of those investigations need to be incorporated or reflected, as appropriate, in any development scheme [**MM 55, MM 63, MM 79, MM 92, MM 108, and MM 121**].

96. There are then a series of changes required that are individual to the various allocations.

### ***Policy PR6a***

97. As set out above, Policy PR6a allocates land east of Oxford Road, to the immediate north of the city, and south of the Oxford Parkway complex. In the supporting text that acts as a preamble to the policy itself, paragraph 5.85 refers to the emerging Cherwell Design Guide. The reference to ‘emerging’ needs to be removed as the document has now been adopted. Moreover, reference to Oxfordshire County Council’s Cycling and Walking Design Guides should be included. These changes **[MM 44]** are needed to ensure the context for Policy PR6a is set out effectively.
98. Criterion 7 deals with the GI corridor and, as drafted, requires a pedestrian, wheelchair and all-weather cycle route along the site’s eastern boundary as shown. To be consistent, and thereby effective, this needs to be more specific, and must make clear that the route is ‘within the area of green space shown on the policies map’ **[MM 48]**.
99. Criterion 10 sets out the details of the Development Brief required by criterion 9. Point (b) must be clear that two points of access will be required with primary access/egress from/to the Oxford Road. Point (c) deals with connectivity within the site itself, and with locations further afield but must make plain that access to existing property through the site should be maintained. These changes to criterion 10 **[MM 50, MM 51]** are required to make it effective.
100. The site contains heritage assets including St Frideswide Farmhouse, a Grade II\* listed building, and criterion 15 sets out the need for a Heritage Impacts Assessment. This needs to identify rather than include measures to avoid or minimise conflict with them and further, the criterion needs to make plain that these measures need to be incorporated in any scheme that comes forward for the site. These changes are needed to ensure effectiveness **[MM 53]**.
101. I have referred to archaeology in general terms above but there is a point specific to the site too. As drafted, criterion 28 refers to archaeological features, including the tumuli to the east of the Oxford Road, and the need to make them evident in the landscape design. To be effective, that requirement needs to be strengthened to make the point that the tumuli need to be incorporated into the landscape design as well as made evident **[MM 58]**.

### ***Policy PR6b***

102. Policy PR6b allocates the site currently occupied by the North Oxford Golf Club, on the opposite side of the Oxford Road from the Policy PR6a site. There are some specific points to deal with here too.
103. Under the requirement for a Development Brief in criterion 8, point (b) talks of ‘points of vehicular access and egress from and to existing highways’. To act as an effective pointer for development, this needs to make clear that two points of vehicular access and egress from and to existing highways are envisaged, with the primary access and egress being from and to Oxford Road **[MM 61]**.

104. Criterion 17 requires any planning application that flows from the allocation to be supported by sufficient information to demonstrate that the tests contained in paragraph 74 of the Framework are met, so as to enable the redevelopment of the golf course.
105. I expressed my concerns about this criterion during the hearings and afterwards because it is difficult to see how the allocation could be justified if there remain questions about compliance with paragraph 74. I do understand that the existing golf course is well-appreciated by its users but those that propose its replacement with housing have shown that it is underused, and that there are lots of other facilities where golf can be played nearby. Even if they are wrong on those points, the Plan includes in Policy PR6c that I deal with below, provision for a replacement golf course and, given the requirements of that policy (as proposed to be modified) I see no good reason why it need be inferior in quality or quantity to the existing course.
106. The essential point about paragraph 74 is that to pass the tests therein, the proposal only has to accord with one of the criteria. On that basis, given that criterion 21 of the policy requires a programme for the submission of proposals and the development of a replacement golf course on the Policy PR6c site, if it is needed, before work on the housing on the existing golf course commences, then the requirements of paragraph 74 have been passed already. Criterion 17 serves no purpose, therefore. On that basis, to make the policy effective, the criterion needs to be removed **[MM 66]**.

### ***Policy PR6c***

107. While it is not an allocation that includes housing, it is as well to deal with Policy PR6c at this juncture. In the form submitted, the policy allocates land at Frieze Farm for the potential construction of a golf course, should this be required as a result of the development of the site of the Policy PR6b allocation. It goes on to explain that the application for development of the golf course will need to be supported by a Development Brief prepared jointly, in advance, by representatives of the landowner(s) and the Council, in consultation with Oxfordshire County Council. It is then explained that the intention is that the Development Brief will incorporate design principles that respond to the landscape and Green Belt setting (the site is intended to remain part of the Green Belt) and the historic context of Oxford.
108. As I have explained above, I consider that the extent of the site is such that it could provide a facility that would be similar, or superior, in quality and quantity to the existing course so there is no difficulty in principle here. Nevertheless, the examination showed the policy as drafted to be rather lacking in coverage and detail. There are constraints that will influence any provision of a golf course and associated facilities on the site that need to be addressed. These need to be identified as requirements for the Development Brief referred to above and, as a result, the policy requires significant expansion.
109. The Development Brief will have to include a scheme and outline layout of the golf course and associated infrastructure, and points of vehicular access/egress will need to be identified. Alongside that, connectivity within the site for vehicular, cycle, pedestrian and wheelchair traffic, and their

connections to off-site infrastructure and public transport will need to be set out, as will details of the protection of, and linkage to, existing rights of way. Using some of the language of the policy as submitted, it will need to be made clear that design principles that respond to the landscape, canal-side, and Green Belt setting, and the historic context of Oxford, will be expected. Moreover, the Development Brief will need to address biodiversity gains informed by a Biodiversity Impact Assessment, something I move on to below, and details will be needed of the provision for access by emergency services.

110. Aside from a Development Brief, in line with the other allocations, any application will need to be supported by a Biodiversity Impact Assessment and a Biodiversity Improvement and Management Plan. The latter would need to cover measures for securing net biodiversity gain, and for the protection of biodiversity during the construction process; measures for retaining and securing any notable and/or protected species; a demonstration that designated environmental assets on the site will not be harmed; measures for the protection and enhancement of existing wildlife corridors, hedgerows, and trees; the creation of a GI network with connected wildlife corridors; measures to control any spillage of artificial light, and noise; the provision of bird and bat boxes and for the provision of green walls and roofs; farmland bird compensation; and proposals for long-term wildlife management and maintenance.
111. The policy will also need to address the presence of Frieze Farmhouse, a Grade II listed building, and its environs, as part of the site. This will require a Heritage Impact Assessment which should identify measures to avoid or minimise conflict with designated heritage assets within and adjacent to the site, with these measures then incorporated in any development proposals. There is a need to ensure too that the issue of archaeology is dealt with.
112. A golf course on the site is clearly going to generate trips so there is a need to clarify that any application should include a Transport Assessment and a Travel Plan aimed at maximising access by means other than the private car. The site is well located, close to the northern boundary of Oxford itself, and adjacent to transport corridors, which ought to ensure that is not too onerous a requirement.
113. There will need to be a Flood Risk Assessment, informed by ground investigations and detailed modelling of existing watercourses, with an allowance for climate change. It will also need to be made clear that landforms should not be raised, or new buildings located, in the modelled flood zone.
114. Of course, any application will need to be supported by a detailed landscaping scheme, which should include measures for the appropriate re-use and management of soils. It will also need to be demonstrated that foul drainage can be accepted into the existing network.
115. Finally, the expectation that a single, comprehensive scheme is required for the whole site will need to be made plain in the policy. In parallel to that, there will need to be a Delivery Plan that co-ordinates development with any taking place on the Policy PR6b allocation; the idea being that, if deemed necessary, there will be no period when golfing facilities are unavailable.

116. These additions and alterations to Policy PR6c **[MM 68]** are necessary to ensure it functions in an effective manner.

### ***Policy PR7b***

117. Policy PR7b allocates land for housing, amongst other things at Stratfield Farm. In the form submitted, criterion 9 refers to the need for a Development Brief for the site, to be prepared in consultation with Oxfordshire County Council and Oxford City Council. To be properly effective, given the nature of the requirements in the policy, and in particular the need for a link across the Oxford Canal, there also needs to be consultation with the Canal and River Trust **[MM 85]**.

118. Criterion 10 sets out the requirements for the Development Brief. Point (b) deals with access and egress and identifies two specific points – the Kidlington Roundabout junction and from Croxford Gardens. This is rather inflexible and to permit other possible solutions using a single access/egress, point (b) needs to include the phrase ‘unless otherwise approved’. This addition **[MM87]** is needed to make the policy effective. Linked to that, point (c) refers amongst other things, to an access road from the Kidlington Roundabout to the easternmost parcels of development and the Stratfield Farm building complex only, as shown on the inset Policies Map. Again, to provide flexibility and the potential for alternative solutions, the word ‘only’ needs to be deleted as does the reference to the inset Policies Map. This change is needed to make the policy effective **[MM 88]**.

119. The need for a Heritage Impact Assessment is set out in criterion 17 with particular reference to Stratfield Farmhouse. This criterion needs to be made more specific in that it should ‘identify’ rather than ‘include’ measures to avoid or minimise conflict with identified heritage assets. It also needs to be clarified that heritage assets might well be found adjacent to the site as well as within it. Finally, it needs to be made plain that identified measures should be incorporated or reflected in any development scheme that might come forward. These changes **[MM 91]** are necessary in order to ensure that criterion 17 operates in an effective way.

### ***Policy PR8***

120. As set out above, Policy PR8 allocates land east of the A44 at Begbroke. Criteria 4 and 5 relate to the Primary Schools and as drafted, the policy sets out that these should be at least three form entry and at least two form entry. It is clear though that no capacity beyond three form entry, and two form entry, will be necessary. On that basis, to ensure the policy is justified, the term ‘at least’ needs to be removed in each criterion **[MM 96 and MM 97]**.

121. Criterion 17 refers to the need for a Development Brief and lists the need for consultation with the County Council and Oxford City Council. Given the requirements of the policy, and in particular the potential for a railway station/halt, alongside linkages to and over the Oxford Canal, this list needs to include the Network Rail and the Canal and River Trust. These additions are needed to make the policy effective **[MM 98]**.

122. Policy criterion 18 deals with the extent of coverage of the Development Brief. Point (b) refers to access and egress from and to existing highways. The

criterion needs to be clear that two separate ‘connecting’ points from and to the A44 are needed, to include the use of the existing access road to the Science Park. These changes **[MM 100]** are needed to make the criterion and thereby the policy function effectively.

123. Point (f) of criterion 18 covers the proposed closure/unadoption of Sandy Lane and talks of the need to consult with the County Council. Given that Sandy Lane crosses the railway by way of a level crossing, consultation should also take place with Network Rail. An addition to point (f) is needed **[MM 101]** to make this clear and to make the criterion and the policy effective.

124. Criterion 19 outlines the requirements of the policy in relation to a Biodiversity Impact Assessment. As drafted, the criterion says that there should be investigation of any connectivity, above or below ground, between Rowel Brook and Rushy Meadows Site of Special Scientific Interest (SSSI). Following on from the Rushy Meadows Hydrological and Hydrogeological Desk Study, this requirement for investigation can be made more specific. To reflect the study, the requirement needs to make clear that the Biodiversity Impact Assessment should be informed by a hydrogeological risk assessment to determine whether there would be any material change in ground water levels as a result of the development and any associated impact, particularly on Rushy Meadows SSSI, requiring mitigation. This addition **[MM 102]** is necessary to ensure the criterion and thereby the policy is effective.

125. The need for a Transport Assessment and Travel Plan is covered in criterion 22. Given the proximity to the railway, it needs to be made plain that the Transport Assessment should address the effect of vehicular and non-vehicular traffic resulting from the development on use of the level crossings on Sandy Lane, Yarnton Lane and Roundham. This further clarification **[MM 104]** is needed to make the criterion and the policy effective.

126. Criterion 23 sets out the need for a Flood Risk Assessment (FRA) but the expectation that residential development must be located outside the modelled Flood Zones 2 and 3 envelopes needs to be made explicit. This change **[MM 105]** is required to make the criterion effective.

127. The required Heritage Impact Assessment is the subject of criterion 25. This criterion needs to be made more specific in that it should ‘identify’ rather than ‘include’ measures to avoid or minimise conflict with identified heritage assets. Moreover, it needs to be explained that identified measures should be incorporated or reflected in any development scheme that might come forward. These changes **[MM 107]** are necessary in order to ensure that criterion 25 and the policy overall, operate in an effective way.

### ***Policy PR9***

128. As set out above, Policy PR9 allocates land for housing, amongst other things, to the west of Yarnton. Criterion 8 deals with the Development Brief and point (b) refers to vehicular access and egress to and from the A44. This needs expansion to set out the expectation that there will be at least two separate points of access and egress with a connecting road in-between. This change **[MM 118]** is needed to make requirements plain and to ensure the criterion and the policy work in an effective manner.

## *Conclusion*

129. With those MMs, the elements of allocation policies that remain and Policy PR6c will be justified, effective and compliant with national policy.

### **Issue 7: Are the other policies in the Plan, aimed at supporting the allocation policies, and the appendices, justified, effective and consistent with national policy?**

130. The Plan presages the allocation policies discussed above with a series of policies that set the context for what follows.

131. Policy PR1: Achieving Sustainable Development for Oxford’s Needs sets out the parameters and general principles of the Plan. The primary aim is to deliver 4,400 homes to help meet Oxford’s unmet housing needs by 2031. However, this is a rather narrow definition because the housing needs to come forward alongside supporting facilities. To be absolutely clear, there needs to be a reference in this primary aim to the necessary supporting infrastructure. This addition **[MM 29]** is required to ensure the policy is effective.

132. Following on from that, Policy PR2 deals with housing mix, tenure and size. This covers a range of matters including the provision of 80% of the affordable housing (each allocation envisages it coming forward as 50% of overall house numbers) as affordable rent/social rented dwellings and 20% as other forms of intermediate affordable homes. That is justified by the evidence base but to be properly transparent there needs to be a confirmation in the policy that references to ‘affordable housing’ mean ‘affordable housing as defined by the Framework’. This change **[MM 30]** is necessary to allow the policy to operate effectively. The precise wording of MM 30 says (as defined by the NPPF). I have proceeded on the basis that this means the current (2019) version of that document.

133. In Policy PR3, the Plan deals with the implications of its policies for the Oxford Green Belt. I have dealt above with the issue of ‘exceptional circumstances’ in relation to the original allocations and their extended forms. Paragraph 5.38 of the supporting text deals with the extent of the removals proposed in order to meet Oxford’s unmet housing needs. The extension of some of the allocations through the examination process means that the 253 Ha originally identified for removal needs to be amended to read 275 Ha, alongside a corresponding change to the removal in percentage terms – 3.3% from 3%, and the percentage area of Cherwell that lies within the Green Belt – 13.8% rather than 13.9%, falling from 14.3%. These changes **[MM 31]** are required to ensure transparency and to make the Plan effective. Consequent changes will also be required to the Policies Maps [advertised by the Council as **MM 148** but amended in the interests of clarity].

134. Paragraph 5.39 of the supporting text makes reference under PR3(e) to the potential extension of the Begbroke Science Park. Obviously, this is not a matter for the Plan at issue but to give some context, a reference to Policy Kidlington 1 of the Local Plan 2015 that makes provision for that extension is

needed. This addition **[MM 32]** is necessary to make the Plan accurate and thereby effective.

135. Unsurprisingly, Policy PR3 in the Plan as submitted reflects the allocations as originally promulgated. There have been changes to the areas to be removed from the Green Belt in Policies PR7a (from 10.8 to 21 Ha), PR7b (from 4.3 to 5 Ha) and PR9 (from 17.7 to 27 Ha). I have dealt with the reasoning behind these changes and the question of whether the exceptional circumstances necessary to justify the additional removals are in place above. Policy PR3 needs to be updated **[MM 33, MM 34 and MM 35]** to reflect the revised position post MMs and to be properly effective.
136. GI is dealt with in Policy PR5. Paragraph 5.67 of the supporting text explains that a connected network of GI is an integral part of the vision behind the Plan. It then goes on to list what the provision of GI involves. Point 5 deals with the need to integrate with other planning requirements. Amongst these, sub-point (v) refers to creating high-quality built and natural environments. To give further clarity, this needs to make clear that such environments must be sustainable in the long term. Moreover, the list needs to be expanded to include reference to the construction of sustainable urban drainage systems. These additions **[MM 38]** are required to ensure the explanation in paragraph 5.67 is an effective one.
137. Further, paragraph 5.69 of the supporting text, as drafted, sets out ten reasons why the delivery of GI is so important to the Plan. There is a need to add an eleventh – a reference to the enhancement GI would bring to health and well-being. This addition **[MM 39]** to the text is required in order to put the reasoning behind Policy PR5 on an effective footing.
138. Policy PR5 itself explains the presumption that GI will come forward as part of the strategic allocations with provision made on site except in exceptional circumstances, when financial contributions might be accepted in lieu. The policy then lists nine expectations of applications for development on the allocated sites.
139. The first requires the identification of existing GI and a demonstration of how this will, as far as possible, be protected and incorporated into the layout design and appearance of the proposed development. The ‘as far as possible’ offers an unreasonable amount of leeway to potential developers. Its removal **[MM 41]** is necessary to ensure the policy protects existing GI effectively.
140. The eighth expectation is for any application to demonstrate where multi-functioning GI can be achieved. This needs to be expanded to take in the ability of GI to address climate change impacts, and for applicants to follow best practice guidance. This addition **[MM 42]** is needed to ensure effectiveness.
141. Expectation 9 addresses the important point that details will be required of how the GI that comes forward will be maintained and managed. It is necessary to make clear that the intention is that GI coming forward will need to be maintained and managed in the long term. This addition **[MM 43]** is required in order that the policy functions in an effective way.



142. Policy PR11 is concerned with the important question of infrastructure delivery. Paragraph 5.143 of the supporting text is part of the preamble to the policy and sets the scene for the way it is intended to operate. There is a reference to the Council’s emerging Supplementary Planning Document on Developer Contributions; the descriptor ‘emerging’ needs to be removed to reflect current circumstances along with the final sentence that refers to an announcement being expected from the Government (about the Community Infrastructure Levy) in the 2017 budget. These changes **[MM 127]** are required in order to ensure the supporting text offers effective support to the policy itself.
143. Policy PR11 itself is concerned with the Council’s approach to securing the delivery of infrastructure associated with the housing needed to address Oxford’s unmet needs and sets out three ways in which this will be achieved.
144. The first way relates to the way in which the Council will work in partnership with others to address various infrastructure requirements. Of these various requirements, the first relates to the provision of physical, community and GI. However, to work as intended, this should cover not only provision but also maintenance. This change **[MM 131]** is required to ensure the policy functions effectively.
145. The second way refers to the completion and subsequent updating of a Development Contributions Supplementary Planning Document. As this has been completed, that reference needs to be removed **[MM 132]** to ensure effective operation.
146. The third way requires developers to demonstrate through their proposals that infrastructure requirements in a series of areas can be met and with developer contributions in line with adopted requirements. This series of areas needs an addition to cover sport while the reference to adopted requirements needs to refer to the Council’s Supplementary Planning Document on Developer Contributions. Alongside another to better articulate what is expected of developers in this regard, these changes **[MM 133]** are needed to make the policy effective.
147. The three ways set out in the policy fail to have regard to the situation where forward funding for infrastructure has been provided by bodies such as the OGB as part of the Oxfordshire Housing and Growth Deal, which needs to be recovered from developers. A new criterion 4 is necessary to secure this **[MM 134]** and make the policy effective.
148. Policy PR12a is concerned with delivery and the maintenance of housing supply. I can see the sense of the Council wanting to separate out their commitment to meeting Oxford’s unmet needs from their own commitments in the Local Plan 2015, as set out in the first paragraph of the policy. That would avoid the situation where meeting Oxford’s unmet needs could be disregarded because of better than expected performance on the Local Plan 2015 Cherwell commitments, or vice versa. Paragraph 5.165 of the supporting text deals with the trajectory envisaged and sets out three principles. The second refers to the phased delivery of two sites which could be brought forward earlier if required. The passage of time means that phased delivery in this way is no

longer possible and this criterion needs to be removed **[MM 135]** to ensure that the policy itself is supported in an effective way.

149. The third principle, as drafted, refers to the requirement that developers maintain a five-year supply for their own sites. As set out above in dealing with the individual allocations, this requirement is not necessary because it is supply overall that matters. The third principle needs to be amended to explain that what is required is that individual sites operate in concert to maintain a five-year supply. This change **[MM 136]** is necessary to make the policy effective and compliant with national policy.
150. The third paragraph of the policy refers to the phased delivery of the Policy PR7a site, and the Policy PR10 site. As dealt with above, this is now unnecessary, and the third paragraph must be removed **[MM 137]** to ensure effective policy operation.
151. The fifth paragraph of the policy as drafted says that permission will only be granted for any of the allocated sites if it can be demonstrated at application stage that they will deliver a continuous five-year supply on a site-specific basis. This needs to be amended to reflect the fact that, as set out in national policy, it is maintaining a five-year supply overall that matters. This change **[MM 138]** is required to make the policy comply with the national approach, and effective.
152. Policy PR12b is included in order to deal with applications that may be submitted to address Oxford’s needs but not on sites allocated in the Plan. In principle, this seems to me a reasonable precaution but the policy in the form submitted has issues that need to be addressed. There are five qualifications that a site that came forward in this way must meet. The first is that the Council must have accepted in a formal way that sites beyond those allocated in the Plan are necessary to ensure a continuous five-year supply and the second requires compliance with Policy PR1. Both are reasonable requirements.
153. The third requires the site that is proposed to have been identified in the Council’s Housing and Economic Land Availability Assessment as a potentially developable site. Given the wide compass of that assessment, that is reasonable too but to ensure this requirement is effective the word ‘potentially’ needs to be removed **[MM 139]**.
154. The fifth qualification sets out the material that will be required to support any application that comes forward. The first of these (a) is a Development Brief. To be effective, this needs to be expanded to include ‘place shaping principles for the entire site’. It also needs to be confirmed that the Development Brief needs to be agreed in advance of any application. These changes **[MM 140]** are needed to ensure that this part of the policy is effective.
155. Point (b) refers to a delivery plan to show that the site itself will deliver a five-year supply of housing. As rehearsed above, it is the contribution of the site to supply overall that is important so (b) needs to be amended to reflect that. This amendment **[MM 141]** is needed to make the policy compliant with national policy, and effective.

156. Point (h) covers any Heritage Impact Assessment that might be required. This requirement needs to be amended to reflect modifications made in this regard to the allocation policies that is to require measures to be identified and for them to be included in any subsequent scheme that might come forward. These changes **[MM 142]** are required to make the policy effective.
157. Archaeology is the subject of point (i). This needs to be altered to bring it into line with the corresponding point in the allocation policies – requiring outcomes of any investigation to be incorporated or reflected in any scheme that comes forward. This change **[MM 143]** is required to make the policy effective.
158. There is a significant omission in the policy as submitted in that affordable housing is not mentioned. A new qualification is required to set out the requirement for 50% affordable housing as defined in the Framework (2019) in line with the allocation policies. This addition **[MM 144]** is required to ensure the policy is compliant with the national approach, and effective.
159. Policy PR13 deals with monitoring and securing delivery. It is largely effective in its approach but the last sentence of the third paragraph needs to acknowledge that any cooperative work to identify strategic requirements arising from cumulative growth in the County must take account not only of the Local Transport Plan and the Oxfordshire Infrastructure Strategy but also associated monitoring. This addition **[MM 145]** is necessary to make the policy and thereby the Plan effective.
160. Appendix 3 to the Plan sets out a housing trajectory. This needs to be updated to reflect the deletion of the Policy PR10 site, and the changes to the other allocations. This amendment **[MM 146 with my deletion and addition for the purposes of clarity]**, is needed to ensure the Plan is consistent and therefore effective. A similar update **[MM 147 with my deletion and addition in the interests of clarity]** is needed to Appendix 4 to the Plan which sets out the Infrastructure Schedule, for the same reasons.
161. There are parts of the Plan that relate to the manner in which the Plan was prepared, and its Oxford, and wider context. Changes are required to the text **[MM 10, MM 12, MM 13, MM 14, MM 15, and MM 16]** to ensure these parts of the Plan are up to date and thereby effective.

### *Conclusion*

162. With those MMs, the policies of the Plan aimed at supporting the allocation policies, and the appendices, will be effective.

## **Overall Conclusion and Recommendation**

163. The Plan has several deficiencies in respect of soundness for the reasons set out above, which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explained in the main issues set out above.
164. The Council has requested that I recommend MMs to make the Plan sound and capable of adoption. I conclude that the DtC has been met and that with the recommended MMs set out in the attached Appendix, the Cherwell Local Plan 2011 - 2031 (Part 1) Partial Review – Oxford’s Unmet Housing Need satisfies the requirements referred to in Section 20(5)(a) of the 2004 Act and is sound.

*Paul Griffiths*

INSPECTOR

This report is accompanied by an Appendix containing the Main Modifications.

## Appendix – Main Modifications

The modifications below are expressed either in the conventional form of ~~striketrough~~ for deletions and underlining for additions of text, or by specifying the modification in words in *italics*.

The page numbers and paragraph numbering below refer to the submission local plan, and do not take account of the deletion or addition of text.

Ref	Page	Policy/ Paragraph	Main Modification
MM 1	2	Contents	<i>Delete 'Woodstock' Heading and page number reference</i>
MM 2	8	xiv	<i>Amend to read:</i>  'The Plan therefore focuses development on a geographic area extending north from Oxford to south Kidlington, <u>and</u> along the A44 corridor to Yarnton and Begbroke, <del>and up to Woodstock in West Oxfordshire.</del>
MM 3	9	Table 1 PR6a	<i>Replace '650' with '<u>690</u>'</i>
MM 4	9	Table 1 PR6b	<i>Replace '530' with '<u>670</u>'</i>
MM 5	9	Table 1 PR7a	<i>Replace '230' with '<u>430</u>'</i>
MM 6	9	Table 1 PR7b	<i>Replace '100' with '<u>120</u>'</i>
MM 7	9	Table 1 PR9	<i>Replace '530' with '<u>540</u>'</i>
MM 8	9	Table 1 PR10	<i>Delete Woodstock row from Table 1.</i>
MM 9	12	1.7	<i>Amend to read:</i>  The Partial Review means change for the area of the district which adjoins north Oxford and that which focuses on the A44 corridor. <del>from Oxford to Woodstock in West Oxfordshire.</del>
MM 10	24	2.2	<i>Amend point 4 to read:</i>  'prepared to be consistent with national policy – to meet the apportioned housing requirements so that they meet core planning principles and demonstrate clear, exceptional circumstances for <del>development within the Oxford Green Belt</del> <u>removing land from the Oxford Green Belt for development.</u> '
MM 11	27	2.10	<i>Amend to read:</i>  <del>Seven</del> <u>Six</u> residential development areas are identified in a geographic area extending north from Oxford (either

Ref	Page	Policy/ Paragraph	Main Modification
			<p>side of the A4165 Oxford Road) <u>and</u> along the A44 corridor <del>and to Woodstock in West Oxfordshire.</del></p> <ol style="list-style-type: none"> <li>1. Land East of Oxford Road, North Oxford (policy PR6a) - Gosford and Water Eaton Parish</li> <li>2. Land West of Oxford Road, North Oxford (policy PR6b) - Gosford and Water Eaton Parish</li> <li>3. Land at South East Kidlington (policy PR7a) - Gosford and Water Eaton Parish</li> <li>4. Land at Stratfield Farm Kidlington (policy PR7b) - Kidlington Parish</li> <li>5. Land East of the A44 at Begbroke/Yarnton (policy PR8) - Yarnton and Begbroke Parishes (small area in Kidlington Parish)</li> <li>6. Land West of the A44 at Yarnton (policy PR9) - Yarnton and Begbroke Parishes</li> <li>7. <del>Land East of Woodstock (policy PR10) - Shipton-on-Cherwell and Thrupp Parish.</del></li> </ol>
MM 12	49	3.57	<p><i>Amend to read:</i></p> <p>‘The Oxford Transport Strategy has three components: mass transit, walking and cycling, and managing traffic and travel demand. <u>The Strategy is supported by the Active and Healthy Travel Strategy and Oxfordshire County Council Cycling and Walking Design Guides.</u> Mass transit in Oxford is planned to consist of rail, Rapid Transit (RT) and buses and coaches.’</p>
MM 13	53	3.66	<p><i>Amend the first sentence to read:</i></p> <p>‘Woodstock is a focus for growth in West Oxfordshire’s <del>new, emerging</del> <u>adopted</u> Local Plan. The <del>draft</del> Plan includes more extensive.....’</p>
MM 14	53	3.66	<p><i>Amend to read:</i></p> <p>‘Woodstock is a focus for growth in West Oxfordshire’s new, emerging Local Plan. The draft Plan includes more extensive growth at Witney and Chipping Norton, growth at Carterton comparable to that at Woodstock and less significant growth in the Burford-Charlbury Area. Larger strategic development is planned at Eynsham on the A40 to the west of Oxford, the majority of which is intended to address West Oxfordshire’s contribution (2750 homes) to Oxford’s unmet housing need. <u>Oxfordshire’s Local Transport Plan (LTP4): A40 Strategy proposes a new link road in Cherwell between the A40 and the A44 to improve access from West Oxfordshire to the A44 and A34.</u></p>
MM 15	54	3.73	<p><i>Amend to read:</i></p> <p>‘A National Infrastructure Commission (NIC) report <del>is expected by the end of</del> <u>on the Cambridge-Milton-Keynes-Oxford Arc was published in November 2017</u> including recommendations to the Government linking east- west transport improvements with wider</p>

Ref	Page	Policy/ Paragraph	Main Modification
			growth and investment opportunities along this corridor'
MM 16	54	3.76	<i>Amend to read:</i>  'Approximately 30,000 homes are being planned in The emerging Vale of Aylesbury Vale Local Plan (Draft Plan, 2016) proposes 33,300 new homes to be built in the district in for the period to 2033. The focus of the growth will be at Aylesbury which has recently been granted Garden Town status.
MM 17	64	Table 4 PR6a	<i>Replace '650' with '690'</i>
MM 18	64	Table 4 PR6b	<i>Replace '530' with '670'</i>
MM 19	64	Table 4 PR7a	<i>Replace '230' with '430'</i>
MM 20	64	Table 4 PR7b	<i>Replace '100' with '120'</i>
MM 21	64	Table 4 PR9	<i>Replace '530' with '540'</i>
MM 22	64	Table 4 PR10	<i>Delete Woodstock row from Table 4.</i>
MM 23	65	5.16	<i>Amend to read:</i>  'Figure 10 illustrates our strategy for accommodating growth for Oxford. It shows the geographic relationship between Cherwell, Oxford and West Oxfordshire and specifically the proximity of north Oxford with Kidlington, Yarnton, and Begbroke and Woodstock along the A44 corridor.'
MM 24	66	5.17	<i>Amend to read:</i>  'All of the sites we have identified other than land to the south east of Woodstock lie within the Oxford Green Belt. We consider that there are exceptional circumstances for the removal of these sites (either in full or in part) from the Green Belt.'
MM 25	66	5.17	<i>Delete as follows:</i>  '8. the need to ensure a cautious approach at Woodstock (in terms of the number of new homes) due to the presence of international and national heritage assets while responding to the proximity and connectivity of a growing town to both Oxford and the growth areas on the A44 corridor.'
MM 26	66	5.17	<i>Renumber point 9 as point 8, point 10 as point 9, point 11 as point 10 and point 12 as point 11.</i>
MM 27	67	5.18	<i>Delete as follows:</i>



Ref	Page	Policy/ Paragraph	Main Modification
			<del>'Land to the south east of Woodstock lies outside but next to the Oxford Green Belt. Land at Frieze Farm is to remain in the Green Belt as we consider that its possible use as a replacement Golf Course would be compatible with the purposes of Green Belts.'</del>
MM 28	69	PR1	<i>Amend to read:</i>  'Cherwell District Council will work with Oxford City Council, <del>West Oxfordshire District Council</del> , Oxfordshire County Council, and the developers of allocated sites to deliver:'
MM 29	69	PR1	<i>Amend point (a) to read:</i>  '4,400 homes to help meet Oxford's unmet housing needs <u>and necessary supporting infrastructure</u> by 2031'
MM 30	73	PR2	<i>Amend point 2 to read:</i>  '...Provision of 80% of the affordable housing ( <u>as defined by the NPPF</u> ) as affordable rent/social rented dwellings and 20% as other forms on intermediate affordable homes'
MM 31	76	5.38	<i>Amend to read:</i>  'The Oxford Green Belt in Cherwell presently comprises some 8409 hectares of land. Policy PR3 sets out the area of land for each strategic development site that we are removing from the Green Belt to accommodate residential and associated land uses to help meet Oxford’s unmet housing needs. In total it comprises <del>253</del> <u>275</u> hectares of land – a <del>3</del> <u>3.3</u> % reduction. Consequently, the total area of Cherwell that comprises Green Belt falls from 14.3% to 13. <del>98</del> %.'
MM 32	77	5.39	<i>Amend penultimate sentence to read:</i>  'The potential extension of the Science Park, <u>provided for by Policy Kidlington 1 of the Local Plan</u> , will be considered further in Local Plan Part 2...'
MM 33	77	PR3	<i>Amend the sentence to read:</i>  'Policy PR7a – removal of <del>10.8</del> <u>21</u> hectares of land as shown on inset Policies Map PR7a'
MM 34	77	PR3	<i>Amend sentence to read:</i>  'Policy PR7b – removal of <del>4.3</del> <u>5</u> hectares of land as shown on inset Policies Map PR7b'
MM 35	77	PR3	<i>Amend sentence to read:</i>



Ref	Page	Policy/ Paragraph	Main Modification
			'Policy PR9 – removal of <del>17.7</del> <u>27</u> hectares of land as shown on inset Policies Map PR9'
MM 36	82	5.65	<i>Amend last sentence to read:</i>  'Site specific transport measures are identified in Policies PR6a, PR6b, PR7a, PR7b, PR8, <u>and</u> PR9, <del>and PR10.</del> '
MM 37	82	PR4a	<i>Amend to read:</i>  'The strategic developments provided for under Policies PR6 to PR <u>9-10</u> will be expected to provide proportionate financial contributions directly related to the development in order to secure necessary improvements to, and mitigations for, the highway network and to deliver necessary improvements to infrastructure and services for public transport.'
MM 38	85	5.67	<i>Amend sub-point v. to read:</i>  'creating high- quality built and natural environments <u>that can be sustained in the long term,</u> <del>and</del> '  <i>Renumber sub-point vi. as sub-point vii.</i>  <i>Add new sub-point vi. to read:</i>  <u>'the construction of sustainable urban drainage systems'</u>
MM 39	86	5.69	<i>Add new point 11 to read:</i>  <u>'enhance health and well-being'</u>
MM 40	86	PR5	<i>Amend first sentence to read:</i>  '...Policies PR6 to <u>PR9</u> <del>PR10</del> ...'
MM 41	86	PR5	<i>Amend point 1 to read:</i>  'Applications will be expected to: (1) Identify existing GI and its connectivity and demonstrate how this will, <del>as far as possible,</del> be protected and incorporated into the layout, design and appearance of the proposed development'
MM 42	86	PR5	<i>Amend point 8 to read:</i>  'Demonstrate where multi- functioning GI can be achieved, <u>including helping to address climate change impacts and taking into account best practice guidance.</u> '
MM 43	86	PR5	<i>Amend point 9 to read:</i>  'Provide details of how GI will be maintained and managed <u>in the long term.</u> '

Ref	Page	Policy/ Paragraph	Main Modification
MM 44	88	5.85	<p><i>Amend 2<sup>nd</sup> sentence to read:</i></p> <p>‘...It will be necessary to have regard to adopted Development Plan policies for design and the built environment for both Cherwell and Oxford, to the <del>emerging</del> Cherwell Design Guide Supplementary Planning Document (SPD), <del>and to</del> Oxford City Council’s SPD - High Quality Design in Oxford - Respecting Heritage and Achieving Local Distinctiveness, <u>and Oxfordshire County Council’s Cycling and Walking Design Guides...</u>’</p>
MM 45	89	Policies Map PR6a	<p><i>Reduce land allocation for primary school use from 3.2 hectares to 2.2 hectares</i></p> <p><i>Allocate 1 hectare to residential use (see <del>attached</del> pages 47 and 48 of the Schedule of Main Modifications November 2019)</i></p>
MM 46	90	PR6a	<p><i>Amend point 1 to read:</i></p> <p>‘Construction of <del>690</del> <u>650</u> dwellings (net) on approximately <del>25</del> <u>24</u> hectares of land (the residential area as shown). <del>The dwellings are to be constructed at an approximate average net density of 40 dwellings per hectare</del>’</p>
MM 47	90	PR6a	<p><i>Amend point 3 to read:</i></p> <p>‘The provision of a primary school with <del>at least three</del> <u>two</u> forms of entry on <del>32.2</del> hectares of land in the location shown’</p>
MM 48	90	PR6a	<p><i>Amend point 7 to read:</i></p> <p>‘...pedestrian, wheelchair and all-weather cycle route along the site’s eastern boundary <u>within the area of green space as shown on the policies map.</u>’</p>
MM 49	91	PR6a	<p><i>Add a second sentence to point 10 (a) to read:</i></p> <p><u>‘Minor variations in the location of specific uses will be considered where evidence is available.’</u></p>
MM 50	91	PR6a	<p><i>Amend point 10 (b) to read:</i></p> <p>‘<u>Two p</u>oints of vehicular access and egress from and to existing highways, primarily from Oxford Road’</p>
MM 51	91	PR6a	<p><i>Amend point 10 (c) to read:</i></p> <p>‘An outline scheme for public vehicular, cycle, pedestrian and wheelchair connectivity within the site, to the built environment of Oxford, to Cutteslowe Park, to the allocated site to the west of Oxford Road (policy PR6b) enabling connection to Oxford City Council’s allocated ‘Northern Gateway’ site, to Oxford Parkway and Water Eaton Park and Ride, and to existing or new points of</p>

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			connection off-site and to existing or potential public transport services. <u>Required access to existing property via the site should be maintained.</u> '
MM 52	92	PR6a	<i>Amend point 13 to read:</i>  'The application(s) shall be supported by a phase 1 habitat survey including habitat suitability index (HSI) survey for great crested newts, <u>and protected and notable species surveys as appropriate, including for</u> great crested newt presence/absence surveys (dependent on HSI survey), surveys for badgers, breeding birds and reptiles, an internal building assessment for roosting barn owl, a tree survey and an assessment of the watercourse that forms the south-eastern boundary of the site and Hedgerow Regulations Assessment.'
MM 53	92	PR6a	<i>Amend point 15 to read:</i>  'The application shall be supported by a Heritage Impact Assessment which will <del>include</del> <u>identify</u> measures to avoid or minimise conflict with the identified heritage assets within the site, particularly the Grade 2* Listed St Frideswide Farmhouse. <u>These measures shall be incorporated or reflected, as appropriate, in any proposed development scheme.</u> '
MM 54	92	PR6a	<i>Amend point 17 to read:</i>  'The application should demonstrate that Thames Water <del>has agreed in principle</del> <u>and the Environment Agency have been consulted regarding wastewater treatment capacity and agreement has been reached in principle</u> that foul drainage from the site will be accepted into <u>the drainage its network.</u> '
MM 55	93	PR6a	<i>Amend point 18 to read:</i>  '...mitigation measures. <u>The outcomes of the investigation and mitigation measures shall be incorporated or reflected, as appropriate, in any proposed development scheme.</u> '
MM 56	93	PR6a	<i>Add new point 20 to read:</i>  ' <u>The application shall include a management plan for the appropriate re- use and improvement of soils</u> '  <i>Re-number subsequent points</i>
MM 57	93	PR6a	<i>Amend the final sentence of point 21 to read:</i>  'The Delivery Plan shall include a start date for development, demonstration of how the development would be completed by 2031 and a

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			programme showing how <u>the site will contribute towards maintaining</u> a five year supply of housing. <del>(for the site) will be maintained year on year.'</del>
MM 58	94	PR6a	<i>Amend point 28 to read:</i>  'The location of archaeological features, including the tumuli to the east of the Oxford Road, should be <u>incorporated and</u> made evident in the landscape design of the site.'
MM 59	96	PR6b	<i>Amend point 1 to read:</i>  'Construction of <u>670</u> <del>530</del> dwellings (net) on 32 hectares of land (the residential area as shown). <del>The dwellings are to be constructed at an approximate average net density of 25 dwellings per hectare.'</del>
MM 60	96	PR6b	<i>Add a second sentence to point 8 (a) to read:</i>  <u>'Minor variations in the location of specific uses will be considered where evidence is available.'</u>
MM 61	96	PR6b	<i>Amend point 8 (b) to read:</i>  <u>'Two pPoints of vehicular access and egress from and to existing highways, primarily from Oxford Road, and connecting within the site.'</u>
MM 62	98	PR6b	<i>Amend point 11 to read:</i>  'The application(s) shall be supported by a phase 1 habitat survey including habitat suitability index (HSI) survey for great crested newts, <u>and protected and notable species surveys as appropriate, including</u> great crested newt presence/absence surveys (dependent on HSI survey), surveys for badgers, breeding birds and reptiles, an internal building assessment for roosting barn owl, a tree survey and an assessment of water bodies.'
MM 63	98	PR6b	<i>Amend point 13 to read:</i>  'The application(s) shall be supported by a desk-based archaeological investigation which may then require predetermination evaluations and appropriate mitigation measures. <u>The outcomes of the investigation and mitigation measures shall be incorporated or reflected, as appropriate, in any proposed development scheme.'</u>
MM 64	98	PR6b	<i>Amend point 15 to read:</i>  'The application should demonstrate that Thames Water <del>has agreed in principle</del> <u>and the Environment Agency have been consulted regarding wastewater treatment capacity and agreement has been reached</u>



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			in principle that foul drainage from the site will be accepted into <u>the drainage its network.</u> '
MM 65	98	PR6b	<i>Add new point 16 to read:</i>  ' <u>The application shall include a management plan for the appropriate re- use and improvement of soils</u> '  <i>Re-number subsequent points</i>
MM 66	98	PR6b	<i>Delete point 17 and renumber subsequent points accordingly</i>
MM 67	99	PR6b	<i>Amend the final sentence of point 19 to read:</i>  'The Delivery Plan shall include a start date for development, demonstration of how the development would be completed by 2031 and a programme showing how <u>the site will contribute towards maintaining</u> a five year supply of housing. <del>(for the site) will be maintained year on year.'</del>
MM 68	101	PR6c	<i>Amend to read:</i>  'Land at Frieze Farm will be reserved for the potential construction of a golf course should this be required as a result of the development of Land to the West of Oxford Road under Policy PR6b.  <u>Planning Application Requirements</u> <u>1.</u> The application will be expected to be supported by, and prepared in accordance with, a Development Brief for the entire site to be jointly prepared and agreed in advance between the appointed representative(s) of the landowner(s) and Cherwell District Council and in consultation with Oxfordshire County Council.  The Development Brief shall <u>include:</u>  <u>(a) A scheme and outline layout for delivery of the required land uses and associated infrastructure</u>  <u>(b) Points of vehicular access and egress from and to existing highways</u>  <u>(c) An outline scheme for public vehicular, cycle, pedestrian and wheelchair connectivity within the site, to the built environment, and to existing or new points of connection off-site and to existing or potential public transport services.</u>  <u>(d) Protection and connection of existing public rights of way</u>  <u>(e) incorporate d</u> Design principles that respond to the landscape, <u>canal-side</u> and Green Belt setting and the

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			<p>historic context of Oxford</p> <p><u>(f) Outline measures for securing net biodiversity gains informed by a Biodiversity Impact Assessment in accordance with (2) below</u></p> <p><u>(g) An outline scheme for vehicular access by the emergency services</u></p> <p><u>2. The application(s) shall be supported by the Biodiversity Impact Assessment (BIA) based on the DEFRA biodiversity metric (unless the Council has adopted a local, alternative methodology), to be agreed with Cherwell District Council</u></p> <p><u>3. The application(s) shall be supported by a proposed Biodiversity Improvement and Management Plan (BIMP) informed by the findings of the BIA and habitat surveys and to be agreed before development commences. The BIMP shall include:</u></p> <p><u>(a) measures for securing net biodiversity gain within the site and for the protection of wildlife during construction</u></p> <p><u>(b) measures for retaining and conserving protected/notable species (identified within baseline surveys) within the development</u></p> <p><u>(c) demonstration that designated environmental assets will not be harmed, including no detrimental impacts through hydrological, hydro chemical or sedimentation impacts</u></p> <p><u>(d) measures for the protection and enhancement of existing wildlife corridors and the protection of existing hedgerows and trees</u></p> <p><u>(e) the creation of a green infrastructure network with connected wildlife corridors</u></p> <p><u>(f) measures to minimise light spillage and noise levels on habitats especially along wildlife corridors</u></p> <p><u>(g) a scheme for the provision for bird and bat boxes and for the viable provision of designated green walls and roofs</u></p> <p><u>(h) farmland bird compensation</u></p> <p><u>(i) proposals for long-term wildlife management and maintenance</u></p> <p><u>4. Measures for the retention of the Grade II listed Frieze Farmhouse and an appropriate sensitive setting</u></p>

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			<p><u>5. The application shall be supported by a Heritage Impact Assessment which will identify measures to avoid or minimise conflict with identified heritage assets within and adjacent to the site, particularly the Grade II Listed Frieze Farmhouse. These measures shall be incorporated or reflected, as appropriate, in any proposed development scheme'</u></p> <p><u>6. The application(s) shall be supported by a desk-based archaeological investigation which may then require predetermination evaluations and appropriate mitigation measures. The outcomes of the investigation and mitigation measures shall be incorporated or reflected, as appropriate, in any proposed development scheme</u></p> <p><u>7. The application(s) shall be supported by a Transport Assessment and Travel Plan including measures for maximising sustainable transport connectivity, minimising the impact of motor vehicles on existing communities and actions for updating the Travel Plan during the construction of the development</u></p> <p><u>8. The application will be supported by a Flood Risk Assessment, informed by a suitable ground investigation and having regard to guidance contained within the Council's Level 1 Strategic Flood Risk Assessment. The Flood Risk Assessment should include detailed modelling of watercourses taking into account allowance for climate change. There should be no ground raising or built development within the modelled flood zone.</u></p> <p><u>9. The application shall be supported by a landscaping scheme including details of materials for land modelling (to be agreed with the Environment Agency), together with a management plan for the appropriate re-use and improvement of soils</u></p> <p><u>10. The application should demonstrate that Thames Water has agreed in principle that foul drainage from the site will be accepted into its network.</u></p> <p><u>11. A single comprehensive, outline scheme shall be approved for the entire site. The scheme shall be supported by draft Heads of Terms for developer contributions that are proposed to be secured by way of legal agreement. The application(s) shall be supported by a Delivery Plan demonstrating how the implementation and phasing of the development shall be secured comprehensively and how the provision of supporting infrastructure will be delivered. The Delivery Plan shall include a start date for development and a programme showing how and when the golf course would be constructed to meet any identified need as a result of the development of Land to the West of Oxford Road</u></p>

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			<u>(Policy PR6b)</u>
MM 69	103	5.90	Amend last sentence to read:  'A clearly defined field boundary <u>partially</u> marks the extent of the area that is identified for development and the remainder of the southern boundary <u>follows a former historic field boundary.</u> '
MM 70	104	5.95	Delete first two sentences and replace with:  <u>'The farmhouse looks south across land planted as an orchard. To the west of the farmhouse is an area of trees and a traditional orchard which forms an important part of its historic setting.'</u>
MM 71	104 to 105	5.96	Renumber points 5 to 8 as 6 to 9  Insert new point 5 to read:  <u>'Retention and renovation of the Grade II Listed Stratfield Farmhouse and the protection of its historic setting.'</u>
MM 72	106	Policies Map PR7a	Increase extent of residential area Reduce extent of Outdoor Sports Provision Amend revised Green Belt boundary (see <del>attached</del> <i>pages 49 and 50 of the Schedule of Main Modifications November 2019</i> )
MM 73	106	Policies Map PR7a	Amend the policies map to include 'new green space/parks' notation over (in addition to) 'Outdoor Sports provision' on the policies map (see <del>attached</del> <i>pages 49 and 50 of the Schedule of Main Modifications November 2019</i> )
MM 74	107	PR7a	Amend point 1 to read:  'Construction of <del>430 230</del> dwellings (net) on <del>21 11</del> hectares of land (the residential area as shown). The <del>dwellings to be constructed at an approximate average net density of 35 dwellings per hectare.</del> '
MM 75	107	PR7a	Amend point 4 to read:  'The provision of <del>21.5 11</del> hectares of land to provide formal sports facilities for the development and for the wider community and green infrastructure within the Green Belt.'
MM 76	107	PR7a	Add a second sentence to point 9 (a) to read:  <u>'Minor variations in the location of specific uses will be considered where evidence is available.'</u>
MM 77	109	PR7a	Amend point 12 to read:



Ref	Page	Policy/ Paragraph	Main Modification
			'The application(s) shall be supported by a phase 1 habitat survey including habitat suitability index (HSI) survey for great crested newts, <u>and protected and notable species surveys as appropriate, including</u> great crested newt presence/absence surveys (dependent on HSI survey), surveys for badgers, breeding birds and reptiles, an internal building assessment for roosting barn owl, a tree survey and an assessment of water bodies.'
MM 78	109	PR7a	<i>Amend point 14 to read:</i>  'The application should demonstrate that Thames Water, <u>Natural England</u> <del>has agreed in principle and</del> <u>the Environment Agency have been consulted regarding wastewater treatment capacity and agreement has been reached</u> in principle that foul drainage from the site will be accepted into <u>the drainage its network.</u> '
MM 79	109	PR7a	<i>Amend point 16 to read:</i>  'The application(s) shall be supported by a desk-based archaeological investigation which may then require predetermination evaluations and appropriate mitigation measures. <u>The outcomes of the investigation and mitigation measures shall be incorporated or reflected, as appropriate, in any proposed development scheme</u> '
MM 80	109	PR7a	<i>Add new point 17 to read:</i>  ' <u>The application shall include a management plan for the appropriate re- use and improvement of soils</u>  <i>Re-number subsequent points</i>
MM 81	110	PR7a	<i>Amend the final sentence of point 19 to read:</i>  'The Delivery Plan shall include a start date for development, demonstration of how the development would be completed by 2031 and a programme showing how <u>the site will contribute towards maintaining</u> a five year supply of housing. <del>(for the site) will be maintained year on year.'</del>
MM 82	111	Policies Map PR7b	<i>Increase Residential area Reduce Nature Conservation Area Amend Revised Green Belt boundary Amend Green Space boundary (see <b>attached pages 51 and 52 of the Schedule of Main Modifications November 2019</b>)</i>
MM 83	112	PR7b	<i>Amend point 1 to read:</i>  'Construction of <u>120 ±00</u> homes (net) on <u>5 ±4</u> hectares of land (the residential area). <del>The dwellings to be constructed at an approximate average net density of</del>

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			<del>25 dwellings per hectare.'</del>
MM 84	112	PR7b	<p><i>Amend point 7 to read:</i></p> <p>'Creation of a nature conservation area on <del>6.3</del> <u>5.3</u> hectares of land as shown on the inset Policies Map, incorporating the community orchard and with the opportunity to connect to and extend Stratfield Brake District Wildlife Site.'</p>
MM 85	112	PR7b	<p><i>Amend last sentence of point 9 to read:</i></p> <p>'The Development Brief shall be prepared in consultation with Oxfordshire County Council, <del>and</del> <u>Oxford City Council and the Canal and River Trust</u>'</p>
MM 86	112	PR7b	<p><i>Add a second sentence to point 10 (a) to read:</i></p> <p><u>'Minor variations in the location of specific uses will be considered where evidence is available.'</u></p>
MM 87	113	PR7b	<p><i>Amend point 10 (b) to read:</i></p> <p>'Points of vehicular access and egress from and to existing highways with, <u>unless otherwise approved</u>, at least two separate points.'</p>
MM 88	113	PR7b	<p><i>Amend point 10 (c) to read:</i></p> <p>'The scheme shall include an access road from the Kidlington roundabout to the easternmost development parcels and the Stratfield Farm building complex. <del>only, as shown on the inset Policies Map.'</del></p>
MM 89	114	PR7b	<p><i>Amend point 13 to read:</i></p> <p>'The application(s) shall be supported by a phase 1 habitat survey including an habitat suitability index (HSI) survey for great crested newts, <u>and protected and notable species surveys as appropriate, including</u> great crested newt presence/absence surveys (dependent on HSI survey), hedgerow and tree survey, surveys for badgers, water vole, otter, invertebrate, dormouse, breeding birds and reptiles, an internal building assessment for roosting barn owl, and an assessment of water bodies.'</p>
MM 90	115	PR7b	<p><i>Amend point 16 to read:</i></p> <p>'The application should demonstrate that Thames Water, <u>Natural England</u> <del>has agreed in principle and</del> <u>the Environment Agency, have been consulted regarding wastewater treatment capacity and agreement has been reached</u> in principle that foul drainage from the site will be accepted into <u>the</u> <del>its</del> drainage network.'</p>

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MM 91	115	PR7b	<p><i>Amend point 17 to read:</i></p> <p>'...a Heritage Impact Assessment which will <u>identify</u> <del>include</del> measures to avoid or minimise conflict with identified heritage assets within <u>and adjacent to</u> the site, particularly Stratfield Farmhouse. <u>These measures shall be incorporated or reflected, as appropriate, in any proposed development scheme'</u></p>
MM 92	115	PR7b	<p><i>Amend point 18 to read:</i></p> <p>'...a desk-based archaeological investigation which may then require predetermination evaluations and appropriate mitigation measures. <u>The outcomes of the investigation and mitigation measures shall be incorporated or reflected, as appropriate, in any proposed development scheme'</u></p>
MM 93	115	PR7b	<p><i>Add new point 19 to read:</i></p> <p><u>'The application shall include a management plan for the appropriate re- use and improvement of soils'</u></p> <p><i>Re-number subsequent points</i></p>
MM 94	115	PR7b	<p><i>Amend the final sentence of point 21 to read:</i></p> <p>'The Delivery Plan shall include a start date for development, demonstration of how the development would be completed by 2031 and a programme showing how <u>the site will contribute towards maintaining a five year supply of housing. (for the site) will be maintained year on year.'</u></p>
MM 95	121	PR8	<p><i>Amend point 1 to read:</i></p> <p>'Construction of 1,950 dwellings (net) on approximately 66 hectares of land (the residential area as shown). <del>The dwellings are to be constructed at an approximate average net density of 45 dwellings per hectare'</del></p>
MM 96	121	PR8	<p><i>Amend point 4 to read:</i></p> <p>'The provision of a primary school with <del>at least</del> three forms of entry on 3.2 hectares of land in the location shown'</p>
MM 97	121	PR8	<p><i>Amend point 5 to read:</i></p> <p>'The provision of a primary school with <del>at least</del> two forms of entry on 2.2 hectares of land in the location shown if required in consultation with the Education Authority and unless otherwise agreed with Cherwell District Council.'</p>
MM 98	122	PR8	<p><i>Amend last sentence of point 17 to read:</i></p>

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			'The Development Brief shall be prepared in consultation with Oxfordshire County Council, <del>and</del> Oxford City Council, <u>Network Rail and the Canal and River Trust</u> '
MM 99	122	PR8	<i>Add a second sentence to point 18 (a) to read:</i>  ' <u>Minor variations in the location of specific uses will be considered where evidence is available.</u> '
MM 100	122	PR8	<i>Amend point 18 (b) to read:</i>  'Points of vehicular access and egress from and to existing highways with at least two separate, <u>connecting points from and to the A44 and including the use of the existing Science Park access road.</u> '
MM 101	123	PR8	<i>Amend point 18 (f) to read:</i>  'In consultation with Oxfordshire County Council <u>and Network Rail</u> , proposals for the closure/unadoption of Sandy Lane, the closure of Sandy Lane to motor vehicles...'
MM 102	123	PR8	<i>Amend point 19 to read:</i>  'The application(s) shall be supported by the Biodiversity Impact Assessment (BIA) based on the DEFRA biodiversity metric (unless the Council has adopted a local, alternative methodology), prepared in consultation and agreed with Cherwell District Council. The BIA shall <del>include</del> <u>be informed by a hydrogeological risk assessment to determine whether there would be any material change in ground water levels as a result of the development and any associated adverse impact, particularly on Rushy Meadows SSSI, requiring mitigation.</u> It shall also be informed by investigation of any above <del>or below</del> ground hydrological connectivity <u>with the SSSI and between Rowel Brook and Rushy Meadows SSSI</u>
MM 103	124	PR8	<i>Amend point 21 to read:</i>  'The application(s) shall be supported by a phase 1 habitat survey <u>and protected and notable species surveys as appropriate, including</u> <del>and</del> surveys for badgers, nesting birds, amphibians (in particular Great Crested Newts), reptiles and for bats including associated tree assessment, hedgerow regulations assessment.'
MM 104	124	PR8	<i>Amend point 22 to read:</i>  'The application(s) shall be supported by a Transport Assessment and Travel Plan including measures for



Ref	Page	Policy/ Paragraph	Main Modification
			maximising sustainable transport connectivity, minimising the impact of motor vehicles on new residents and existing communities, and actions for updating the Travel Plan during construction of the development. <u>The Transport Assessment shall include consideration of the effect of vehicular and non-vehicular traffic on use of the railway level crossings at Sandy Lane, Yarnton Lane and Roundham.</u>
MM 105	125	PR8	<i>Amend point 23 to read:</i>  'The application shall be supported by a Flood Risk Assessment informed by a suitable ground investigation, and having regard to guidance contained within the Council’s Level 2 Strategic Flood Risk Assessment. A surface water management framework shall be prepared to maintain run off rates to greenfield run off rates and volumes, with use of Sustainable Drainage Systems in accordance with adopted Policy ESD7, taking into account recommendations contained in the Council’s Level 1 and Level 2 SFRA’s. <u>Residential development must be located outside the modelled Flood Zone 2 and 3 envelope.</u>
MM 106	125	PR8	<i>Amend point 24 to read:</i>  'The application should demonstrate that Thames Water, <u>Natural England</u> <del>has agreed in principle and</del> <u>the Environment Agency have been consulted regarding wastewater treatment capacity and agreement has been reached</u> in principle that foul drainage from the site will be accepted into <u>the drainage its network.</u>
MM 107	125	PR8	<i>Amend point 25 to read:</i>  'The application shall be supported by a Heritage Impact Assessment which will <del>include</del> <u>identify</u> measures to avoid or minimise conflict with the identified heritage assets within the site, particularly the Oxford Canal Conservation Area and the listed structures along its length. <u>These measures shall be incorporated or reflected, as appropriate, in any proposed development scheme.</u>
MM 108	125	PR8	<i>Amend point 26 to read:</i>  '...mitigation measures. <u>The outcomes of the investigation and mitigation measures shall be incorporated or reflected, as appropriate, in any proposed development scheme.</u>
MM 109	125	PR8	<i>Add new point 28 to read:</i>

Ref	Page	Policy/ Paragraph	Main Modification
			<u>'The application shall include a management plan for the appropriate re- use and improvement of soils'</u>  <i>Re-number subsequent points</i>
MM 110	125	PR8	<i>Amend the final sentence of point 30 to read:</i>  'The Delivery Plan shall include a start date for development, demonstration of how the development would be completed by 2031 and a programme showing how <u>the site will contribute towards maintaining</u> a five year supply of housing. <del>(for the site) will be maintained year on year.'</del>
MM 111	127	5.121	<i>Amend to read:</i>  'We are also seeking to enhance the beneficial use of the Green Belt within the site by requiring improved <del>informal</del> access to the countryside <del>and significant ecological and biodiversity gains</del> primarily through the establishment of <u>publicly accessible informal parkland between the proposed built development and the retained agricultural land to the west. There will also be opportunities for significant ecological and biodiversity gains.</u> The Council’s priority will be the creation of a new Local Nature Reserve at the southern end of the site with good access to the primary school and the existing public rights of way.'
MM 112	129	Policies Map PR9	<i>Extend residential area to 25.3 hectares</i> <i>Delete Public Access Land</i> <i>Amend Revised Green Belt boundary</i> <i>Add 24.8 hectares of new green space/parks</i> <i>Add 39.2 hectares of retained agricultural land (see <del>attached</del> pages 53 and 54 of the Schedule of Main Modifications November 2019)</i>
MM 113	130	PR9	<i>Amend point 1 to read:</i>  'Construction of <u>540</u> <del>530</del> dwellings (net) on approximately <u>25</u> <del>16</del> hectares of land (the residential area as shown). <del>The dwellings are to be constructed at an approximate average net density of 35 dwellings per hectare'</del>
MM 114	130	PR9	<i>Amend point 3 to read:</i>  'The provision of <del>1.6</del> <u>1.8</u> hectares of land for use by the existing William Fletcher Primary School to enable potential school expansion within the existing school site and the replacement of playing pitches and amenity space.'
MM 115	130	PR9	<i>Amend point 5 to read:</i>  ' <del>Public access within the 74 hectares of land</del> <u>The provision of public open green space as informal</u>

Ref	Page	Policy/ Paragraph	Main Modification
			<u>parkland on 24.8 hectares of land</u> to the west of the residential area and a new Local Nature Reserve accessible to William Fletcher Primary School.'
MM 116	130	PR9	<i>Insert point 7 to read:</i>  <u>'The retention of 39.2 hectares of land in agricultural use in the location shown'</u>
MM 117	130	PR9	<i>Add a second sentence to point 8 (a) to read:</i>  <u>'Minor variations in the location of specific uses will be considered where evidence is available.'</u>
MM 118	130	PR9	<i>Amend point 8 (b) to read:</i>  <u>'At least two separate pPoints of vehicular access and egress to and from the A44 <u>with a connecting road between.</u>'</u>
MM 119	132	PR9	<i>Amend point 11 to read:</i>  'The application(s) shall be supported by a phase 1 habitat survey including habitat suitability index survey for great crested newts, <u>and protected and notable species surveys as appropriate, including great crested newt presence/absence surveys (dependent on HSI survey), for badgers, breeding birds, internal building assessment for roosting barn owl, dormouse, reptile, tree and building assessment for bats, bat activity, hedgerow regulations assessment and assessment of water courses"</u>
MM 120	132	PR9	<i>Amend point 14 to read:</i>  'The application should demonstrate that Thames Water <del>has agreed in principle</del> <u>and the Environment Agency have been consulted regarding wastewater treatment capacity and agreement has been reached</u> in principle that foul drainage from the site will be accepted into <u>the drainage its</u> network.'
MM 121	132	PR9	<i>Amend point 16 to read:</i>  <u>'...mitigation measures. The outcomes of the investigation and mitigation measures shall be incorporated or reflected, as appropriate, in any proposed development scheme.'</u>
MM 122	132	PR9	<i>Add new point 17 to read:</i>  <u>'The application shall include a management plan for the appropriate re- use and improvement of soils'</u>  <i>Re-number subsequent points</i>
MM 123	133	PR9	<i>Amend the final sentence of point 18 to read:</i>

Ref	Page	Policy/ Paragraph	Main Modification
			'The Delivery Plan shall include a start date for development, demonstration of how the development would be completed by 2031 and a programme showing how <u>the site will contribute towards maintaining</u> a five year supply of housing. <del>(for the site) will be maintained year on year.'</del>
MM 124	135 to 137	5.124 to 5.139	<i>Delete paragraphs 5.124 to 5.139.</i>
MM 125	138 to 144	Policies Map PR10	<i>Delete Policies Map and Key</i>
MM 126	139 to 143	PR10	<i>Delete Policy PR10</i>
MM 127	145	5.143	<i>Amend to read:</i>  'The Council’s <del>emerging</del> Supplementary Planning Document provides guidance on Developer Contributions associated with new development. The Council has consulted on a draft Charging Schedule for a possible Community Infrastructure Levy, a potential complementary means of acquiring funds for infrastructure. However, it has not yet been determined whether the Council will introduce CIL, particularly as the Government is reviewing how CIL functions, and its relationship with securing developer contributions through ‘Section 106’ legal obligations and options for reform. <del>An announcement is expected by the Government at the Autumn Budget 2017.</del> ”
MM 128	146	5.148	<i>Amend to read:</i>  '...liaison on infrastructure issues will be required with partner authorities including the County Council, <u>and</u> Oxford City Council <del>and West Oxfordshire District Council.</del> '
MM 129	146	5.148	<i>Amend to read:</i>  In delivering the developments identified in this Plan, liaison on infrastructure issues will be required with partner authorities including the County Council <u>and</u> Oxford City Council <del>and West Oxfordshire District Council</del> ; for example to ensure a joined-up approach to the provision of additional school places and public open space where there are cross-boundary implementation matters to consider.
MM 130	147	PR11	<i>Amend point 1 to read:</i>  'Working with partners including central Government,



Ref	Page	Policy/ Paragraph	Main Modification
			the Local Enterprise Partnership, Oxford City Council, <del>West Oxfordshire District Council</del> , Oxfordshire County Council and other service providers to:...
MM 131	147	PR11	<i>Amend point 1 (a) to read:</i>  'provide <u>and maintain</u> physical, community and green infrastructure'
MM 132	148	PR11	<i>Amend point 2 to read:</i>  <del>Completing and k</del> Keeping up-to-date a Developer Contributions .....
MM 133	148	PR11	<i>Amend point 3 to read:</i>  ' <del>Ensure that D</del> development proposals will be required to demonstrate that infrastructure requirements can be met including the provision of transport, education, health, social, <u>sport</u> , leisure and community facilities, wastewater treatment and sewerage, and with necessary developer contributions in accordance with adopted requirements <u>including those of the Council's Developer Contributions SPD.</u>
MM 134	148	PR11	<i>Add new point 4 to read:</i>  ' <u>All sites are required to contribute to the delivery of Local Plan infrastructure. Where forward funding for infrastructure has been provided, for example from the Oxfordshire Growth Board as part of the Oxfordshire Housing and Growth Deal, all sites are required to contribute to the recovery of these funds as appropriate.</u> '
MM 135	150	5.165	<i>Delete point 2.</i>
MM 136	150	5.165	<i>Amend point 3 to read:</i>  '3. we are requiring developers to clearly show that they can <del>maintain</del> <u>contribute towards maintaining</u> a five year supply. <del>for their own sites.</del> '
MM 137	150	PR12a	<i>Delete 3<sup>rd</sup> paragraph:</i>  <del>'Land South East of Kidlington (Policy PR7a – 230 homes) and Land South East of Woodstock (Policy PR10 – 410 homes) will only be permitted to commence development before 1 April 2026 if the calculation of the five year land supply over the period 2021 to 2026 falls below five years.'</del>
MM 138	150	PR12a	<i>Amend fifth paragraph to read:</i>  'Permission will only be granted for any of the allocated sites if it can be demonstrated at application stage that they will <u>contribute in</u> delivering a continuous five year housing land supply

Ref	Page	Policy/ Paragraph	Main Modification
			<del>on a site-specific basis</del> (i.e. measured against the <u>local plan housing trajectory allocation for the site</u> ). <u>This will be achieved via the Delivery Plans required for each strategic development site.</u>
MM 139	151	PR12b	<i>Amend point 3 to read:</i>  'the site has been identified in the Council's Housing and Economic Land Availability Assessment as a <del>potentially D</del> <u>developable site</u> '
MM 140	151	PR12b	<i>Amend point 5 (a) to read:</i>  'A comprehensive Development Brief <u>and place shaping principles for the entire site</u> to be agreed <u>in advance</u> by the Council in consultation with Oxfordshire County Council and Oxford City Council
MM 141	151	PR12b	<i>Amend point 5 (b) to read:</i>  'The Delivery Plan shall include a start date for development, demonstration of how the development would be completed by 2031 and a programme showing how <u>the site will contribute towards maintaining a five year supply of housing.</u> <del>(for the site) will be maintained year on year.'</del>
MM 142	152	PR12b	<i>Amend point 5 (h) to read:</i>  'a Heritage Impact Assessment which will <u>identify</u> <del>include</del> measures to avoid or minimise conflict with identified heritage assets within and adjacent to the site. <u>These measures shall be incorporated or reflected, as appropriate, in any proposed development scheme.'</u>
MM 143	152	PR12b	<i>Amend point 5 (i) to read:</i>  'a desk-based archaeological investigation which may then require predetermination evaluations and appropriate mitigation measures. <u>The outcomes of the investigation and mitigation measures shall be incorporated or reflected, as appropriate, in any proposed development scheme'</u>
MM 144	151	PR12b	<i>Add new point 3 to read:</i>  ' <u>50% of the homes are provided as affordable housing as defined by the National Planning Policy Framework.'</u>  <i>Renumber existing points 3 to 5 as 4 to 6.</i>
MM 145	155	PR13	<i>Amend last sentence of 3rd paragraph to read:</i>

Ref	Page	Policy/ Paragraph	Main Modification
			'This will include the implementation of Local Plans and County wide strategies such as the Local Transport Plan and the Oxfordshire Infrastructure Strategy <u>and associated monitoring</u> .
MM 146	162	Appendix 3	<i>Update housing trajectory as indicated on revised trajectory <del>attached</del> (see page 58 of the Schedule of Main Modifications November 2019)</i>
MM 147	163 to 182	Appendix 4	<i>Update infrastructure schedule (see <del>attached updated schedule</del> pages 59-104 of the Schedule of Main Modifications November 2019)</i>
MM 148	-	Whole Plan	<i>Remove policy shading for PR3b, PR3c, PR3d and PR3e (land to be removed from the Green Belt) (note: retain shading for safeguarded land – PR3a) (<del>see attached Proposed Map Changes</del>) (see pages 47 to 57 of the Schedule of Main Modifications November 2019)</i>

**Appendix 3: South Oxfordshire Local Plan  
Inspector's Interim Conclusions**

Ian Kemp  
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PO Box 241, Droitwich, Worcestershire, WR9 1DW

**From Jonathan Bore MRTPI**  
**Inspector, South Oxfordshire Local Plan Examination**

Mr Adrian Duffield  
Head of Planning for South Oxfordshire District Council

**By email**

28<sup>th</sup> August 2020

Dear Mr Duffield

**Examination into the South Oxfordshire Local Plan 2011-2034**

**Inspector's preliminary conclusions and post-hearings advice**

1. This letter sets out my preliminary conclusions on the key matters that arose during this examination, in order to provide clarity for the Council and all other parties at an early stage. It does not attempt to deal with all the issues that arose during the examination and its hearings.
2. It also addresses the more significant main modifications that arose *in the hearings*. Items where a modification is required and wording has been agreed subject to consultation are marked \*. The Council will need to finalise its draft schedule of main modifications for consultation and sustainability appraisal.
3. Several main modifications were identified *in advance of the hearings* through written discussion between myself and the Council, and their draft wording is set out in Document CSD13. They have been on the examination website for some weeks and this letter does not deal with them in detail, except where necessary to explain the background (such as in the case of the housing requirement) or where the hearing discussions have led to subsequent changes in the proposed wording.
4. I am not inviting comments on this letter. The main modifications will be published for consultation and will be subject to sustainability appraisal in due course.

## **The plan period**

5. The plan period of the submitted plan is 1 April 2011 to 31 March 2034. Rolling forward the plan period to 31 March 2035 is an obvious solution to the need to ensure that the plan looks forward about 15 years from 2020. This main modification is sound and the Council do not need to roll the plan's end date forward any further beyond 2035.

## **The overall housing requirement**

6. Policy STRAT2 of the submitted plan contains a total housing requirement of 22,775 homes, consisting of 17,825 homes for South Oxfordshire at a rate of 775 dwellings per annum (dpa) over the plan period to 2034, and an additional 4,950 homes to meet Oxford City's unmet housing needs.

7. Changing the end date of the plan to 31 March 2035, but retaining the same annual delivery rate for South Oxfordshire and the component for Oxford City, gives a total housing requirement of 23,550 homes over the revised plan period. The relevant modification to Policy STRAT2 is set out in Document CSD13.

8. I have given careful consideration to the evidence at the hearings but I am not recommending any further change to these modified figures. They are higher than would arise from the standard method, but there are a number of strong reasons why this should be so.

9. Oxford and Oxfordshire are of key economic importance and the success of the area's economy generates substantial housing need. Infrastructure constraints and housing affordability issues within the County, including South Oxfordshire, are well documented and it is important to ensure that, as well as ensuring that everyone has a decent home, economic growth should not be hampered because of a shortage of housing, a very expensive housing market, and inadequate infrastructure. These are some of the factors that lie behind the Oxfordshire Growth Deal. The strength of the Oxfordshire economic base and problems of housing affordability are persistent characteristics, having been well established before the 2014 SHMA was published, and the circumstances that gave rise to the Growth Deal are as relevant as ever.

10. The ability of householders to afford housing is a significant challenge in South Oxfordshire. In terms of market housing, the current median property price to median earnings ratio is 11.6; in 1997 it was 5.3. The plan's housing requirement will help to address the serious issue of market housing costs and this, combined with Policy H9 which seeks 40% affordable housing (and 50% adjacent to Oxford – see below), which has been viability tested, will go a substantial way towards meeting the affordable housing needs of the District.

11. The plan also makes provision for additional homes which will contribute towards meeting the City of Oxford's large unmet housing need. The plan allows for an additional 4,950 homes for this purpose with 50% affordable housing sought on the site allocations adjacent to Oxford, a similar proportion to that sought by the Oxford Local Plan itself. I consider that the plan takes a sound approach towards meeting Oxford's unmet needs. It is also appropriate that the

plan seeks to meet them over the whole plan period rather than to 2031, because Oxford City's plan itself, and its housing calculation, extend to 2036.

12. Planning Practice Guidance indicates that housing need may be higher than the standard method indicates. These can include situations where there is a growth strategy for the area, such as a Housing Deal; where strategic infrastructure improvements are likely to drive an increase in the homes needed locally; where an authority has agreed to take on unmet need from neighbouring authorities; and where previous levels of housing delivery in an area, or previous assessments of need are significantly greater than the outcome from the standard method. All these apply in the case of South Oxfordshire.

13. My conclusion at this point therefore is that the housing requirement as proposed to be modified, 23,550 homes from 2011 to 2035, is justified. A lower housing requirement would not support the national objective to boost the supply of housing. It would fail to address housing affordability issues, affordable housing need and the housing impediments to the successful economic growth of the area, would be inconsistent with the range of other adopted plans in Oxfordshire, would not satisfactorily address Oxford City's unmet housing needs, and would ignore the evidence of recent years that the District is capable of delivering housing at a higher level. Equally, a higher figure is not, on the evidence, justified for soundness reasons, and I am mindful that there is substantial headroom in terms of existing housing commitments.

### **Housing supply**

14. The original housing delivery trajectory in Policy STRAT2 does not reflect the reality of housing delivery since the plan period, and in the interests of soundness the suggested stepped trajectory in Document CSD13 (subject to an arithmetical correction for the period 2032/33 to 2034/35) should go forward as a main modification. This would establish the annual housing requirement as follows:

- 2011/12 to 2025/26- 900 homes per annum
- 2026/27 to 2031/32-1,120 homes per annum
- 2032/33 to 2034/35- 1,110 homes per annum

15. This should enable the maintenance of a rolling 5 year housing land supply. The plan does rely to a considerable degree on large strategic site allocations to achieve housing delivery over the plan period, and I am aware of the issues that can influence lead-in times (as highlighted in the Lichfield report "Start to Finish"). However, there is significant headroom because of existing commitments, and the Council have tested the robustness of the plan by assessing the impacts of a year's delay to all strategic sites across the board and the entire failure of one of the strategic allocations to deliver. I am satisfied that the housing supply is robust.

### **Meeting the needs of different households**

16. The submitted plan generally takes a sound approach towards meeting the needs of different households, but does not adequately create the conditions for meeting specialist housing needs and the needs of older people. The suggested changes to the wording of Policies H1, H9 and H13 in document CSD13 partially address these requirements.

\* The Council's further suggested changes allow for specialist housing for older people on unallocated sites in certain circumstances. I am content that this wording can go forward for consultation as a main modification.

### **Housing density**

17. The high minimum housing densities in Policy STRAT5 of the submitted plan are too prescriptive and do not adequately take into account local character and housing mix.

\* The Council have put forward alternative wording which allows consideration to be given, when establishing the density of a development, to the need for high quality design, local circumstances, site constraints, accessibility to facilities and transport, and living conditions. This should be taken forward for consultation as a main modification.

\* The strategic site allocations need to say more about density. The revised wording in this regard has been agreed with the site promoters and should be taken forward for consultation as a main modification.

### **The spatial strategy and the strategic site allocations**

18. The spatial strategy fulfils three objectives:

- meeting Oxford's housing needs close to the city (STRAT11: Land South of Grenoble Road, STRAT12: Land at Northfield and STRAT13: Land North of Bayswater Brook);
- delivering homes and employment land within the area known as Science Vale to support housing need and the strong economy of that area (STRAT9: Land Adjacent to Culham Science Centre and STRAT10: Land at Berinsfield);
- delivering homes and employment land on largely previously developed sites (STRAT7: Land at Chalgrove Airfield, STRAT8: Culham Science Centre and STRAT14: Wheatley Campus).

19. The spatial strategy both supports and responds to planned and funded infrastructure improvements and supports the potential for other improvements. The scale of the allocations will ensure that they are capable of sustaining their own local facilities and bus routes. My preliminary conclusion is that the spatial strategy is logical, justified on the evidence, integrated and sound.

### **Allocations which will help to meet Oxford's unmet housing needs**

20. There is clear justification for seeking to meet Oxford's unmet housing needs close to its built up area. This will allow for short journey distances to workplaces



and social facilities, as well as having the potential to strengthen retail, social and transport facilities within adjacent parts of Oxford. This of course requires the alteration of Green Belt boundaries, but seeking to meet this need beyond the Green Belt would not address the serious affordability problems of the city, would not meet need where it arises and would result in longer journey patterns including journeys by private car. It would impose additional journey to work costs on people who may already find housing costs challenging. To try to meet Oxford's unmet housing needs in, for example, the market towns or Didcot would not meet need where it arises and is a less sustainable approach. The allocation of the three strategic sites next to Oxford, with their ability to deliver 50% affordable housing, near substantial employment centres, is an essential response to meeting the significant level of unmet need in the city.

21. STRAT11, STRAT12 and STRAT13 are open land currently in the Green Belt, but they adjoin development on at least one side, are seen in the context of development, and are not notably significant in landscape terms; and enough land is included in the allocations to enable good quality landscaping, greenspace and strong green boundaries to be provided. Development of these sites would appear as natural extensions to the Oxford built-up area.

22. STRAT11: Land south of Grenoble Road would deliver a substantial number of homes, an extension to the South Oxford Science Park and land for a Park and Ride site.

\* The site contains a sewage works. A modification is required to enable development to commence subject to an odour assessment. The wording has been agreed for consultation.

\* The site will be expected to deliver improvements to existing community facilities at Blackbird Leys where necessary to address impacts arising from the increased usage by the residents of the new development. A modification is required to clarify this requirement and the relationship of the site with the regeneration of Blackbird Leys. Suggested wording has been put forward which may be taken forward for consultation.

23. At STRAT12: Land at Northfield, I am satisfied that the site can be developed to ensure satisfactory living conditions notwithstanding the proximity of Unipart and other nearby industrial plant, and although the gap between Oxford and Garsington would be reduced, the allocation would not cause coalescence. Indeed, there would be sufficient space to include boundary and structural planting which could soften the edge of the built up area compared with the present view of the very bulky Unipart building.

24. In the case of STRAT13: Land North of Bayswater Brook, there is plenty of land to incorporate a buffer and alternative greenspace between the site and the adjacent SSSI.

\* A modification is required to STRAT13 to align the transport requirements for the site, as far as possible, with Oxford City's planning policies concerning reduced car use and sustainable transport priorities, which may assist in reducing the need for extensive highways infrastructure. The suggested wording

has been agreed with the County Council and site promoters and can be taken forward for consultation as a main modification.

### **Allocations in Science Vale**

25. It is logical to inset Culham Science Centre (STRAT8) from the Green Belt as it is an important developed site.

\* The boundary of the inset area at STRAT8 should be contiguous with the safeguarding line to make the best use of this land and ensure that the functioning of the site is not impaired.

26. The allocations next to Culham Science Centre (STRAT9) and at Berinsfield (STRAT10) also require alterations to the Green Belt boundaries, but they are also strongly justified by the evidence. Science Vale contains an important cluster of technological activity, and supporting economic growth includes ensuring that there is enough housing, at the right price, for those working in that sector. STRAT9 is next to an important employment centre which is receiving substantial investment, and has a rail station with the potential for an improved service, whilst STRAT10 will bring transformational benefits to the existing village. Both are supported by major infrastructure improvements arising from the successful HIF bid.

\* At STRAT10, Berinsfield, a main modification is required to set out the plan's intentions more clearly in respect of tenure mix. Wording has now been suggested which can be taken forward for consultation as a main modification.

### **Previously developed sites**

27. The Wheatley Campus allocation (STRAT14) makes good use of a previously developed site close to a main route into Oxford.

\* A main modification has been formulated that brings the policy into line with the terms of the recent planning permission.

28. The Chalgrove Airfield allocation, STRAT7, provides an important opportunity to deliver a substantial part of the District's housing needs on a largely previously-developed site without landscape significance outside the Green Belt. Although several miles from Oxford and other towns, the allocation would be large enough, particularly when taken with the village, to develop into the size of a small town with an adequate range of facilities and there is growth potential beyond the end of the plan period. The transport infrastructure that is required to support it, including bus services and the bypasses to Stadhampton, Chiselhampton and Cuxham, would also provide substantial benefits to other communities. Masterplanning would need to ensure that the allocation was well integrated with the existing village.

29. The site contains a leading global technological aviation-related business on a long lease, and the allocation requires a relocated runway. There are unresolved issues about the adequacy of this alternative provision and the relationship of the existing business to the new housing. A range of consents would be required, especially from the CAA and HSE. But my conclusion at this

stage is that these circumstances do not make the allocation unsound or undevelopable such that it should be removed from the plan, for a number of reasons.

30. These include Homes England's CPO powers; the fact that this is a site allocation, not a planning application, with flexibility to adjust development and operational areas if necessary; the policy flexibility in the total number of homes to be delivered; the satisfactory co-existence of the existing operation with nearby Chalgrove; the absence of evidence that the allocation would inevitably conflict with the 2015 General Aviation Strategy or any emerging strategy arising from Aviation 2050; and the additional flexibility (subject to planning, environmental, health and safety and aviation regulations) which might be brought into the equation from Homes England's recent acquisition of land to the north of the site, which should not be discounted.

31. Development planning inevitably involves grappling with uncertainty, but there is enough evidence in the case of Chalgrove Airfield to indicate that there is a reasonable prospect of the allocation being implemented. The Council's housing trajectory indicates a relatively long lead-in time for this site, considerably longer than that envisaged by the site promoter, and the plan is robust enough to deal with any delay in implementation. Were the site to prove difficult to develop, the situation would be monitored and the issue could be reconsidered in a subsequent plan.

\* Revised wording for the policy and text have been put forward to address cycle connectivity, bus frequency, retail provision and biodiversity and these can go forward as main modifications for consultation.

### **Didcot**

32. The plan does not allocate a large amount of additional housing to Didcot because of the very significant volume of existing commitments. This is a reasonable approach which will still allow Didcot to grow substantially and play an important part in the spatial strategy. Didcot is not in the Green Belt, but allocating further development to the town would not, in this plan, be a reasonable alternative to the allocations on the edges of Oxford and those at Culham or Berinsfield, which fulfil important objectives and provide a choice of sites and locations to meet different needs.

### **The Market Towns**

33. The market towns of Wallingford, Henley-on-Thames and Thame have seen very considerable growth and have a large volume of commitments. They do not represent a reasonable alternative to the strategic allocations, partly because they are located some distance away from major centres of housing and employment, and partly because of the need to protect their character and their historic centres and ensure that their community facilities do not come under excessive pressure. Nonetheless, they are some of the best connected and most sustainable settlements in the district and have a role in delivering housing to meet the overall requirement and local needs.

34. Against that background, a starting point of 15% growth to the 2011 existing housing stock plus the requirements from the Core Strategy, to be delivered through the neighbourhood plans, is a reasonable approach which will result in proportionate growth depending on the existing size of the town. However, paragraph 5.16 appears to allow neighbourhood plans to deliver below 15%, whereas there is no convincing evidence that this is necessary to avoid harm to any of the towns, the surrounding landscape, the AONB or other designations. Moreover Table 5d and Policy H3 are written in such a way as to appear that neighbourhood plans only need to cater for relatively small residual requirements (zero in the case of Wallingford) and this could be seen as a cap on development.

\* Modifications are required to ensure consistency of wording in the policy criteria for the three towns. Acceptable wording has been put forward which can be included in the schedule of main modifications for consultation.

\* To ensure that the plan takes a positive approach towards sustainable development opportunities in the market towns, the housing requirements for the market towns, and the outstanding requirement for neighbourhood development plans, should be expressed as minima. The policy should also indicate that NDPs should seek to meet demonstrable local needs, for example for specialist or affordable housing, even where this would result in housing provision in excess of the minimum outstanding requirement.

## **Reading**

35. Reading is south of the District. Its Council has not asked South Oxfordshire to take any of its unmet housing need, which is catered for elsewhere, or to make provision for housing in the vicinity of the town. Its transport strategy, which includes park and ride and possible future highway provision, will entail discussion with South Oxfordshire in due course, but the submitted plan is not guilty of any omission in respect of Reading's needs and no modification is required.

## **The villages (all categories)**

36. The plan is proportionate in its approach towards the amount of development expected of the villages. The dispersal of substantial amounts of development to the villages would not provide the opportunity for the kind of comprehensive transport, social and community facilities that can be achieved by the strategic site allocations.

## **Unclassified settlements**

37. As regards unclassified settlements, whilst the courts have clarified the application of NPPF paragraph 79, that does not prevent local plans from containing policies that seek to restrict new development in hamlets and very small settlements to avoid a proliferation of new buildings in the countryside and additional traffic on country lanes.

## **Green Belt and environmental considerations**

38. My preliminary conclusion is that exceptional circumstances exist for the release from the Green Belt of all the relevant site allocations. The plan seeks to meet overall housing need in the right places through a logical and evidence-based spatial strategy that promotes sustainable development patterns. The allocations are well chosen and do not represent unrestricted sprawl; they constitute planned growth. In no instance do they result in neighbouring towns merging. They do represent encroachment into the countryside, but the allocations are of such a size that defensible boundaries and structural landscaping and good quality open space are capable of being designed into the schemes' masterplans, such that the impact on the Green Belt can to a degree be mitigated.

39. There are no reasonable alternatives to the approach taken in the plan to the alteration of the Green Belt. Alternatives would locate development in the wrong places, resulting in longer journeys, higher costs, additional pollution, and additional pressure on existing settlements and their facilities; they would promote much less sustainable development patterns.

\* A proposed modification addresses the need for compensatory measures in relation to the alteration of Green Belt boundaries and this is included in Document CSD13.

40. As regards protected sites, the scale of the allocations provides the space and opportunity to provide adequate mitigation, for example in providing adequate buffers to, and relieving public pressure on, nearby SSSIs and limiting landscape impact.

41. The evidence does not suggest that the plan would have a deleterious effect on any AONB or its setting.

### **Employment land**

42. The submitted plan is not positive enough in its approach to the provision of employment land, particularly given the evidence of demand.

\* Main modifications are required to make it clear that the employment land requirements are minima, with the requirement for Thame increased to a minimum of 3.5ha. The suggested wording can be included in the schedule of main modifications for consultation.

### **An edge road for Watlington**

43. The plan establishes a safeguarding line (as modified) for an edge road for Watlington. The line crosses into the neighbouring parish of Pyrton but is not included in Pyrton's Neighbourhood Development Plan.

44. Watlington's narrow streets are under extreme pressure from vehicles passing through, severely detracting from its historic character, harming living conditions and creating a hostile pedestrian environment. The edge road, funded in part by development and part from the Chalgrove allocation, would help relieve this situation. Having seen the safeguarded area, I do not consider that

the route would impinge to any harmful extent on the character of Pyrton or its attractive rural surroundings. Its inclusion in the plan is sound.

### **Climate change mitigation**

45. Other than described below, the plan adequately addresses this issue. The spatial strategy seeks to locate new development in sustainable locations which provide travel choices and help to reduce journey lengths. Its strategic allocations are of a size to sustain social and community facilities and support public transport.

46. Carbon and energy impacts are not clearly addressed in the submitted plan and the Council have put forward a new policy on the subject (new DES11 in document CSD13), partly modelled on that in the Oxford City Local Plan.

\* There are also proposed amendments to DES9 regarding sustainable design which can go forward as main modifications for consultation.

### **Biodiversity**

47. Document CSD13 contains modifications in respect of biodiversity net gain.

\* The site allocation masterplans need to actively seek biodiversity gain and avoid habitat fragmentation and this needs to be included as a main modification.

### **Concept plans for the strategic allocations**

48. These are only valuable if they accurately reflect the realistic development plans of the site promoters as well as the Council and the County Council.

\* The Council have discussed these with the site promoters. The relevant policies need to make clear that they are for illustrative purposes only.

### **Changes to the Use Classes Order**

49. Revisions to the Use Classes Order come into force on 1 September 2020 which among other things create a new Use Class E, which encompasses shops, restaurants, financial and professional services, indoor sport and fitness, medical and health facilities, offices, research and development and light industrial use. A new Class F.1 is created which includes learning and non-residential institutions and a new Class F.2 which includes local community uses. Changes between activities within a Use Class do not require planning permission.

\* I asked the Council to consider the implications for the plan's policies; their assessment is in Document PSD66 and my response is in IC10. The Council have now made the appropriate wording changes and these can go forward as main modifications for consultation.

### **A note on Covid-19**

50. I did not spend time on this subject at the examination hearings because any discussion at present can only be speculative. If it turns out that there is a greater propensity for home working in the future, that would not obviate the need for everyone to have a decent home. In any case only a proportion of

people are in jobs that can be managed substantially from home. Further, a spatial strategy based on a dispersal model would have significant implications for the market towns, villages and countryside and the infrastructure that serves them. The appropriate response to this issue is through the monitoring process.

### **Main Modifications**

51. I now invite the Council to finalise the main modifications for consultation and sustainability appraisal, agreeing final wording with me as necessary. It is usually best to group all the modifications relating to a particular policy under one MM (main modification) number, including any consequent changes to the supporting text, appendices and glossary. This keeps the number of MMs down and enables people to see all the effects of a particular modification. Through the Programme Officer, I would be pleased to help you to get the schedule of main modifications into order for public consultation.

52. There will be an opportunity for the public and stakeholders to comment on the main modifications during the consultation period. I will consider the responses to that consultation and any associated sustainability appraisal before finalising my report.

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