

Oxfordshire Housing and Growth Deal
Planning Freedoms and Flexibilities
3 Year Housing Land Supply Consultation

1. Introduction

- 1.1 The Oxfordshire Housing and Growth Deal contained a commitment from Government to explore the options for time limited planning flexibilities, subject to consultation where appropriate. A package of freedoms and flexibilities is being developed to help the Oxfordshire Councils put in place an effective plan-led approach for delivering the housing needs of Oxfordshire. A key element of this plan-led approach will be a Joint Statutory Spatial Plan which will be submitted by March 2020. This will set a strategic development framework for Oxfordshire up to 2050.
- 1.2 This consultation seeks views from any interested parties on the proposed flexibility to housing land supply agreed to under the Deal.

2. Background

- 2.1 The Oxfordshire authorities are committed to planning to meet the 100,000 housing requirement for Oxfordshire set out by the Oxfordshire Strategic Housing Market Assessment (SHMA) by 2031. Local Plans are taking shape with adopted Local Plans in place in Cherwell and for Vale of White Horse which are being followed by partial reviews to address unmet housing need, a recently examined Plan in the case of West Oxfordshire, and new Local Plans underway for Oxford City and South Oxfordshire. This has led to a substantial release of land for new housing and employment. As a consequence, housing delivery in the last 3 years across the County has been more than double the delivery in the previous three-year period.
- 2.2 However, there is a need to look beyond the 2031/36 timescales of the adopted and emerging Local Plans in order to maximise the local, regional, national and global economic benefits which flow from the development of the Oxford– Milton Keynes – Cambridge Corridor and to secure longer term investment in strategic infrastructure to support growth. There is also a need to continue to raise housing delivery rates and bring forward the delivery of a portfolio of new strategic sites which will be undertaken through a Joint Statutory Spatial Plan and future Local Plan reviews. A framework of planning freedoms and flexibilities will allow the Councils to focus on plan preparation and proactive action on housing delivery.

3. National Planning Policy Framework

- 3.1 The National Planning Policy Framework sets out the Government’s planning policies for England and how these are expected to be applied. Planning law requires that

applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

- 3.2 The National Planning Policy Framework identifies that there are a set of core land-use planning principles that should underpin both plan-making and decision-taking. The first of these principles states that planning should be genuinely plan-led, empowering local people to shape their surroundings, with succinct Local and Neighbourhood Plans setting out a positive vision for the future of the area.
- 3.3 Paragraph 14 of the National Planning Policy Framework states that there is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. It explains that for decision-taking this means:
 - approving development proposals that accord with the development plan without delay; and
 - where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted.
- 3.4 Paragraph 49 of the National Planning Policy Framework states that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a 5-year supply of deliverable housing sites.
- 3.5 The Government published National Planning Policy Framework changes for consultation in March 2018. This revised framework includes a number of additional measures focused on increasing housing supply, and also a greater recognition of the role of strategic planning.
- 3.6 The 5-year housing land supply requirement in the current National Planning Policy Framework is retained and this will be accompanied by a new Housing Delivery Test which benchmarks local authorities having regard to the number of actual housing completions compared to their requirement. Where a local authority is unable to demonstrate a 5-year supply of deliverable land or where there is a substantial under-delivery of housing (assessed against the Housing Delivery Test) the presumption in favour of sustainable development applies.
- 3.7 The proposed changes to the National Planning Policy Framework retain the overall commitment to a plan-led system but there is an important new requirement for strategic policies dealing with key issues such as the overall scale and pattern of growth and housing and job numbers. These strategic policies can be delivered

through joint plans, as is proposed in Oxfordshire through the Joint Statutory Spatial Plan.

- 3.8 The proposed changes to the National Planning Policy Framework state that the Government will continue to explore with individual areas the potential for planning freedoms and flexibilities, for example where this would facilitate an increase in the amount of housing that can be delivered. This is of particular relevance to the Oxfordshire Housing and Growth Deal, which identifies a number of potential freedoms and flexibilities, including that proposed by the current consultation.
- 3.9 The Housing and Growth Deal outlines Oxfordshire's commitment to plan for, and support the delivery of, 100,000 new homes between 2011 and 2031. This ambition, for levels of housing delivery significantly above the Government's proposed standard method for calculating housing need, requires effective strategic planning across Oxfordshire, to ensure that the necessary infrastructure is delivered, and to protect and enhance Oxfordshire's natural, built and historic environment. Speculative development in unplanned locations can undermine this approach and therefore a lower 3 year land supply requirement is proposed whilst the Joint Statutory Spatial Plan is prepared.
- 3.10 The proposed changes to the National Planning Policy Framework were the subject of public consultation which closed in May 2018. The National Planning Policy Framework and associated National Planning Policy Guidance are expected to be finalised in the summer.

4. Oxfordshire Housing and Growth Deal Delivery Plan

- 4.1 The Oxfordshire Housing and Growth Deal Delivery Plan, signed in March 2018, outlined the following proposed freedoms and flexibilities, the first of which is the subject of the current consultation:
- Land supply requirements – for the duration of the development (from commencement of s 28 process to adoption) of the Joint Statutory Spatial Plan a 3-year land supply would apply in Oxfordshire.
 - Bespoke Housing Delivery Test measures for Oxfordshire would apply for 3 years following submission of the Joint Statutory Spatial Plan. The rates for November 2018 and November 2019, which are 25% and 45%, and which trigger the presumption in favour of sustainable development would remain as set nationally, but the figure from November 2020 would be a bespoke Oxfordshire figure subject to the submission of the Joint Statutory Spatial Plan by March 2020.
- 4.2 These arrangements are dependent on the Government's proposed changes to the National Planning Policy Framework and National Planning Policy Guidance in order to secure the flexibilities set out above.
- 4.3 The proposed Joint Statutory Spatial Plan for Oxfordshire will investigate long term growth options. The proposed planning freedoms and flexibilities will allow the Councils to focus on the preparation of this Joint Plan and on the associated individual

Local Plans. The proposed 3-year land supply will set a lower minimum housing land supply requirement for a temporary period while the Joint Statutory Spatial Plan is under preparation. This will support the plan-led approach to managing growth in Oxfordshire.

- 4.4 The milestones attached to the work on the Joint Statutory Spatial Plan are contingent on securing the planning flexibilities.
- 4.5 The Government supports the completion of the current suite of Oxfordshire Local Plans, and the deal includes a requirement for the outstanding Local Plans to be submitted by 1st April 2019.
- 4.6 Detailed proposals for a bespoke Housing Delivery Test to apply from November 2020 are being developed and will be subject to a further consultation.

5. Consultation Proposal

- 1) A 3-year land supply, to apply in all of the districts in Oxfordshire for the duration of the development (from commencement of the Section 28 process to adoption) of the Joint Statutory Spatial Plan.
- 5.1 This measure would be delivered through a Written Ministerial Statement following the finalisation of the revised National Planning Policy Framework. It would apply to Cherwell District, Oxford City, South Oxfordshire District, Vale of White Horse District, and West Oxfordshire District. The 3-year land supply would be assessed on an individual District basis. It is dependent upon the Government's proposed changes to the National Planning Policy Framework and National Planning Policy Guidance, and the commencement of the Section 28 process for the Joint Statutory Spatial Plan. The Section 28 process covers the joint arrangements that will be put in place by the Oxfordshire local planning authorities to coordinate the preparation of the Joint Statutory Spatial Plan. This process is programmed to commence in July 2018.
 - 5.2 The temporary 3-year housing supply requirement will end on the adoption of the Joint Statutory Spatial Plan (planned by 31 March 2021, subject to examination).

6. Consultation Questions

- 1) Do you agree with the proposed temporary 3-year housing supply requirement for Oxfordshire, which will end on the adoption of the Joint Statutory Spatial Plan (planned by 31 March 2021, subject to examination)?
- 2) Do you have any other comments on this consultation?

6. Consultation Arrangements

- 6.1 The consultation will open on the 31 May and close on the 12 July at 23:45 pm. This consultation is open to everyone. We are keen to hear from a wide range of interested parties from across the public and private sectors, as well as from the general public.

- 6.2 For any enquiries about the consultation please contact:
info@oxfordshiregrowthboard.org
- 6.3 Consultation responses should be submitted by online survey:
www.oxfordshiregrowthboard.org/consultation
- 6.4 Or sent to: Growth Board Programme Manager, Town Hall, St Aldate's, Oxford, OX1 1BX