

**To: Council**

**Date: 14 July 2014**

**Report of: Head of City Development**

**Title of Report: Northern Gateway AAP: Proposed Submission Document**

## Summary and Recommendations

**Purpose of report:** Council is requested to approve the Northern Gateway Area Action Plan Proposed Submission Document for public consultation and, subject to the outcome of the consultation submit the draft AAP to the Secretary of State for formal examination.

**Executive lead member:** Councillor Bob Price

**Policy Framework:** The contribution of new development at the Northern Gateway is fundamental to achieving the priorities of the Council's Corporate Plan (in particular: vibrant sustainable economy and meeting housing needs). The AAP will fulfil a key element of the Local Development Scheme and build on the strategic policies set out in the Oxford Core Strategy.

**Recommendation(s):** Council is asked to:

1. approve the Northern Gateway Area Action Plan Proposed Submission Document for consultation;
2. approve all the supporting documentation that includes the Sustainability Appraisal, Habitats Regulation Assessment, Equalities Impact Assessment, and Options Consultation Report (listed in Appendix 2);
3. authorise the Head of City Development, in consultation with the Executive Board Member, to make any necessary editorial corrections to the document, Sustainability Appraisal and Habitat Regulations Assessment, and to agree the designed version before publication;
4. approve the Northern Gateway AAP Proposed Submission Document as a material consideration in determining planning applications;
5. following publication, authorise the Head of City Development, in consultation with the Executive Board Member, to make any minor changes to the document deemed necessary as a result of the consultation, and then to formally submit the Northern Gateway AAP to the Secretary of State for examination;
6. approve the proposed amendment to the Local Development Scheme;

Appendix 1 – Northern Gateway Area Action Plan Proposed Submission Document

Appendix 2 - List of supporting documents

Appendix 3 – Proposed amendment to the Local Development Scheme

Appendix 4 – Risk Register

## **Summary**

1. The purpose of this report is to seek approval for the Northern Gateway Area Action Plan (AAP) Proposed Submission Document for consultation and thereafter (subject to the results of the consultation) submission to the Secretary of State for examination. The document is the second major stage towards producing an AAP for this important City Council project, following consultation on the Options Document in February.

## **Background to the Northern Gateway project**

2. The Core Strategy allocates the Northern Gateway as a strategic employment-led development site. The Core Strategy states that an Area Action Plan will be produced to bring forward development on this site. Situated at Pear Tree in the north of the city, the site is a rare opportunity to provide significant new employment floorspace within the city for the innovation and knowledge-based sector that is so important to Oxford's and the regional/national economy. The development also offers the opportunity to provide additional new homes and associated facilities in the form of a thriving and vibrant new community that forms part of Oxford.
3. The Core Strategy is the starting point for the work on the Northern Gateway AAP. However as time has moved on since the Core Strategy was adopted; the AAP needs to reflect up to date evidence and additional factors such as City Deal and the Strategic Housing Market Assessment work. In January, City Executive Board approved for public consultation an Options Document which tested a range of options for policies for the AAP. The AAP policy framework will form the basis against which future planning applications are judged.

## **Consultation on the earlier Options Document**

4. Consultation on the Options Document took place in February and March 2014. A wide range of tools were used to actively seek the views of others and 564 responses were received. Of those, 362 were made in response to a summary questionnaire (delivered to approximately 4,000 homes in the area), 162 were submitted via an online questionnaire and 40 were emails/letters. Over 80 people participated in a public workshop and over 30 stakeholders in a stakeholder workshop. An exhibition was held at 7 local venues with officers present at drop-in sessions at many of those, including 2 Sunday Farmers' Markets. The consultation was also publicised through a project webpage, social media, local newsletters, and on posters. There was a significant level of press coverage. Of those that provided an address when responding to the consultation, 68% came from Wolvercote and Summertown and Cutteslowe addresses accounted for a further 17% of responses.
5. Overall, there was support for the primary mix of uses and on keeping the focus on employment uses. A significant number of respondents raised concerns over the scale of proposed development; the main factor influencing those was the potential impact on the highways and transport networks. A number of people registered that they would not like to see any development on the site. There were mixed views on the proposals to include a hotel, and on the merits of including an emergency services centre. There was more

consensus however on the scale of retail uses, with a clear majority supporting the preferred option for small, local scale retail uses only.

6. There was very strong support for the package of transport measures to mitigate the impact of the development. The Options Document had set out a package of measures including travel planning, improvements to public transport, pedestrian and cycle links and restricting workplace parking levels alongside significant highways interventions including new link roads and increased capacity at key junctions. Some respondents considered that these measures didn't go far enough, and others that these improvements should be in place before the development takes place.
7. There was also consensus on the need for strong policies to ensure that the development delivers high design quality including the use of a Design Code the need for a good level of high quality public open space.
8. Details of the responses to the Options consultation have been published in the Options Consultation Report which is available on the website. The comments received have been taken into account in preparing the Northern Gateway AAP Proposed Submission Document. For example, the policies on the mix of uses, design and open space, and on the delivery of transport improvements.

#### **Content of the Proposed Submission Document**

9. The Northern Gateway AAP sets out the vision and objectives for the site, site-specific policies on a range of issues, specific infrastructure requirements and details on the delivery and funding of the project. The Proposed Submission AAP is attached at Appendix 1.
10. More specifically, the policies of the AAP (together with policies elsewhere in the Oxford Plan) are proposed to deliver:
  - Up to 90,000m<sup>2</sup> floorspace for employment development to support the knowledge economy
  - Provision of up to 500 new homes
  - A mix of housing types and sizes and requiring at least 50% affordable housing
  - Provision of a package of access and highway measures including improvements to Wolvercote and Cutteslowe roundabouts and provision of new link road between the A40 and A44
  - Provision of additional spaces at the Park and Ride
  - Provision of improved public transport interchange and passenger facilities
  - Provision of a design code to inform the detailed design of the development
  - Amendment to the inner Green Belt boundary to remove the area south of the A40
  - Provision of a good quality living/working environment for residents and employees

11. Behind this document sits an evidence base that has been compiled to provide background information and studies of the area to inform the AAP process. The background documents will be made available on the City Council website when the Proposed Submission Document is published. The version of the document attached to this report is not in its final designed format. The document will be desktop published by a graphics designer before publication. Additional diagrams and illustrations will also be included within the final designed version of the document to aid the reader.

### **Transport and highways**

12. As identified above, the primary concern raised through the Options consultation was transport and highways implications. A significant amount of work, led by the County Council, has gone into exploring these issues and the policies of the AAP reflect these findings.
13. The County Council have been producing a North Oxford Transport Strategy (NOTS) to provide an overall strategic approach to the transport needs of the area and specifically address the potential transport impacts related to the Northern Gateway. In time the NOTS will be incorporated into a review of the overall Oxford Transport Strategy; in the meantime a technical summary of the findings has been made available to inform the draft policies of the AAP. The technical summary is available as a background paper to this report, a paper copy is available in the members' area.
14. The key findings from the NOTS work include:
  - Traffic modelling completed to date concludes that transport solutions can be developed to mitigate the impact of Northern Gateway.
  - The proposed transport improvements (identified in the AAP) will need to meet other traffic growth demands, not just those arising from Northern Gateway development
  - It is vital that the traffic generated by the Northern Gateway is minimised through a series of policies in the AAP (including parking standards) and associated conditions with future planning applications.
15. In addition significant efforts have been made in terms of bidding for funding to secure transport improvements. For example, City Deal funding has already been secured to deliver improvements to the Wolvercote and Cutteslowe roundabouts which are currently being designed and will be delivered during 2015 and 2016. The Oxfordshire Local Enterprise Partnership (LEP) has included transport improvements at the Northern Gateway in its bid for Local Growth Fund monies through the Strategic Economic Plan. The LEP has prioritised these works in its funding bid, seeking £12million which if secured, is anticipated would fully fund the on-site link road and associated junctions, and improvements to the Park and Ride site. A decision on the allocation of these funds is expected from government shortly and if possible a verbal update will be made to Council at the meeting.

### **Sustainability Appraisal and Habitat Regulations Assessment**

16. To comply with European and British regulations, the Council is required to assess the significant environmental, social and economic effects of a plan. A

draft Sustainability Appraisal (SA) for the Northern Gateway AAP was published alongside the Options Document in February for public comment. The Proposed Submission Document has been refined as a result of this assessment and further significant changes have also been assessed in a Sustainability Appraisal report. Due to the proximity of the Oxford Meadows Special Area of Conservation (SAC) to the Northern Gateway, the AAP also needs to be assessed for its potential impact on that site. This is assessed under the Habitats Regulations (HRA).

17. Both the SA and HRA reports are available for Members to view in the Members' area and will be published alongside the Proposed Submission Document during the consultation. Members should be aware of these and have taken into account their content when deciding whether to approve the Proposed Submission Document.

**AAP timetable and next steps**

18. The AAP timetable reflects the City Council's ambition to see development at Northern Gateway commence promptly, in line with the commitments set out in the City Deal agreement. The italicised stages are provisional and are subject to change, this particularly applies to those dates following the submission to the Secretary of State, when the management of the process passes to the Planning Inspectorate.

Early work to develop Options	September 2013 – January 2014
Consult on Options Document	February – March 2014
Consult on Proposed Submission Document	July – September 2014
Submit the AAP to the Secretary of State	<i>October 2014</i>
Hold examination hearing sessions	<i>January 2015</i>
Receive Inspector's Report	<i>May 2015</i>
Adopt AAP	<i>May/June 2015</i>

19. The Council's Local Development Scheme sets out a three-year work programme for producing planning policy documents. In order to keep the LDS up-to-date it is proposed that a small amendment is made: changing the submission date from September to October. Council is also requested to approve the proposed amendment to the LDS as set out in Appendix 3 to this report.
20. The AAP Proposed Submission Document will go on public consultation for eight weeks at the end of July. The statutory consultation period is 6 weeks, however to reflect good practice, this has been extended by 2 weeks in recognition of the timing as this falls over the Summer period. The consultation will be publicised through notification to all those who were involved at the Options stage and those on the City Council's database of interested parties, updates to the website, public notice in the Oxford Times and a summary leaflet to all properties in the area.

21. Having already undertaken an Options consultation involving a wide range of people through public events, this next stage of consultation is not focused on widening the catchment of people involved, but on gathering detailed responses particularly from those who have already been involved in the project. However, additional parties will still have the opportunity to join the consultation at this stage. As well as statutory organisations and key stakeholders, we will contact people and groups that were previously contacted and include all those who responded to the Options consultation.
22. The Proposed Submission consultation will ask consultees whether they consider the document to be 'sound' (and meet the tests of legal compliance) as this will be the basis of the public examination. Comments received will be considered and where appropriate changes can be made before the document is submitted to the Secretary of State in October. However, the submitted document will not be able to include fundamental changes to the policy approach from that of the Proposed Submission Document, but can be a refinement of policy wording.
23. After submission to the Secretary of State there will be an independent examination. Assuming the document is found 'sound' it will come back to Council once more with a report explaining the Inspectors' findings and recommending adoption.

#### **Level of risk**

24. The contribution of new development at the Northern Gateway is a key priority for the City Council, fundamental to achieving the objectives of the Oxford Corporate Plan, the Core Strategy and the Economic Strategy for Oxford. Failure to deliver this development will lead to problems in delivering the Core Strategy and hamper the potential for economic growth in the city. The risk register is attached as Appendix 3.

#### **Climate change and environmental impact**

25. The AAP objectives seek to encourage a low carbon lifestyle/economy by: encouraging people to walk, cycle and use public transport; providing new homes and buildings that use energy and water efficiently; and, by making effective use of renewable and low-carbon energy. The AAP, like all other planning policy documents, is subject to the Sustainability Appraisal process. That process uses sustainability indicators to assess the potential impact of policies set out in the AAP.

#### **Equalities impact**

26. A key theme of the Core Strategy is the focus on providing employment and housing opportunities and this is reflected in the Northern Gateway AAP objectives. An Equalities Impact Assessment has been produced as a background paper and a paper copy is available in the members' area.

#### **Financial implications**

27. The costs associated with the production of the AAP are being met through the current resources of the Planning Policy team and budget. The AAP has a

strong emphasis on deliverability and the policies reflect evidence on viability. The Inspector will consider the delivery of infrastructure to bring forward the strategic development site at the examination.

### **Legal Implications**

28. There are no specific legal implications arising from the recommendations set out in this report. There are legal requirements that must be followed through the production of the AAP which will be considered by the Inspector at examination. Following examination of the AAP, the Inspector may find the document 'unsound' and following adoption an AAP can be legally challenged.

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List of background papers:

- Sustainability Appraisal
- Habitat Regulations Assessment
- Equalities Impact Assessment
- North Oxford Transport Strategy: Northern Gateway Technical Summary report (June 2014) Oxfordshire County Council

Paper copies of the background papers are available in the Members' area

Version number: 1

**Appendix 1: AAP Proposed Submission Document**



## **Appendix 2: List of supporting documents**

The following documents have been made available for inspection in the Members area. In determining that the Northern Gateway AAP Proposed Submission Document should be approved for consultation, members are expected to have taken into account the supporting information. In particular, members are asked to approve the Sustainability Appraisals and the Habitats Regulations Assessment.

- Northern Gateway Proposed Submission: Changes to the Policies Map(July 2014)
- Northern Gateway Sustainability Appraisal (June 2014)
- Habitats Regulation Assessment (June 2014)
- Northern Gateway Options Document (February 2014)
- Options Consultation Report (May 2014)
- Equalities Impact Assessment (June 2014)

## Appendix 3: Proposed amendment to the Local Development Scheme

### LDD PROFILE

<b>Document Title</b>	<b>Northern Gateway AAP</b>		
<b>Lead Section</b>	<b>Planning Policy team</b>		
<b>Scope</b>	<b>Area based</b>	<b>Status</b>	<b>DPD</b>
<b>Priority</b>	<b>High</b>		
<b>Synopsis</b>	<p>A document that sets out:</p> <ol style="list-style-type: none"> <li>1. a vision for the land at the Northern Gateway</li> <li>2. a series of principles and concepts to guide development</li> <li>3. specific policies and infrastructure requirements;</li> <li>4. identifies timing and delivery mechanisms for site-specific proposals;</li> <li>5. updates the Policies Map</li> </ol>		
<b>Timetable</b>			
<b>Key Milestones</b>		<b>Timescale</b>	
<b>Commencement.</b> Evidence gathering and pre-production including early stakeholder & community engagement		<b>September 2013</b>	
Publish options document		February 2014	
<b>Publication of Proposed Submission</b>		<b>July 2014</b>	
<b>Submission of DPD to Secretary of State</b>		<b>October 2014</b>	
Hearing sessions		January 2015	
Receipt of final Inspector's report		May 2015	
<b>Estimated date of adoption and publication</b>		<b>May 2015</b>	
<b>Management arrangements</b>	Head of City Development → Board Member → City Executive Board → Council		
<b>Resources</b>	<ul style="list-style-type: none"> <li>▪ <b>Internal:</b> The Planning Policy team (excludes time devoted to other team core activities).</li> <li>▪ Also internal administration and technical support.</li> <li>▪ LDF budget to cover consultation, printing and design costs, examination costs.</li> <li>▪ Other City Council officers and members time and input.</li> <li>▪ <b>External resources:</b> Specific LDF budget allows for possible use of consultants for other aspects of preparation.</li> <li>▪ <b>Stakeholder Resources:</b></li> <li>▪ Representatives of stakeholder groups to attend meetings, contribute to preparation etc.</li> <li>▪ Development Industry expertise.</li> </ul>		
<b>Approach to involving stakeholders and community</b>	Wide stakeholder and community involvement using a range of consultation methods as described in the adopted SCI.		

## Appendix 4: Risk Register

Risk ID	Risk						Corporate Objective	Gross Risk		Residual Risk		Current Risk		Owner	Date Risk Reviewed	Proximity of Risk (Projects/ Contracts Only)
	Category-000-Service Area Code	Risk Title	Opportunity/Threat	Risk Description	Risk Cause	Consequence		Date raised	1 to 6	I	P	I	P			
SRR-003-CD	Project delay: Non-approval by Council	T	The Proposed Submission does not receive approval from Council to proceed to consultation	Lack of agreement at Council	Examination and therefore final adoption of policies for the delivery of the strategic development site at Northern Gateway likely to be delayed	16.6.14	1, 2, 3, 5	3	2	3	1	3	1	Michael Crofton Briggs		
SRR-004-CD	External Delays: Delays to process	T	The timetable for the AAP production is very tight – any delay may have knock-on consequences	Delays could result from delay to input from outside bodies	If delay cannot be absorbed, may need to review the timetable moving forward	9.12.13	3 and 1	3	3	3	2	3	2	Michael Crofton Briggs		
SRR-009-CD	Opposition: AAP being found unsound by the Inspector	T	If the AAP is found unsound by the Inspector, significant changes would need to be made and the AAP re-	Either the legal process not being fully followed or the AAP failing against one of the tests of soundness	The AAP production process would need to start again which would be costly and delay meeting the Council's	16.6.14	1, 2, 3, 5,	4	2	4	2	4	2	Michael Crofton Briggs		

			submitted, considerably delaying adoption and delivery of development		Corporate objectives												
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Risk ID	Risk Title	Action Owner	Accept, Contingency, Transfer, Reduce or Avoid	Details of Action	Key Milestone	Milestone Delivery Date	%Action Complete	Date Reviewed
SRR-003-CD	Project delay: Non approval by Council	Michael Crofton Briggs	Reduce	Meet with lead and ward members to discuss the likely content of the policies in advance of the Council meeting to identify any issues	Informal agreement of policy direction with key members ahead of report publication	By 7.7.14		
SRR-004-CD	External Delays: Delays to process	Michael Crofton Briggs	Reduce	Make all parties aware of timetable and key dates well in advance and monitor progress				
SRR-009-CD	Opposition: AAP found unsound by Inspector	Michael Crofton Briggs	Reduce	Follow procedures as with plans found sound previously. Seek legal advice where necessary. Look to apply best practice principles and other advice on soundness issues. Only submit when confident that procedures and tests have been met	Submission of a document which we are confident has met requirements	October 2014		