

Report of: Planning Services Business Manager

To: Executive Board 3rd December
Council 21st January

Item No:

Title of Report : Oxford Local Plan 2001 – 2016: Schedule of Saved Policies.
Plus Update to the Local Development Scheme.

Summary and Recommendations

Purpose of report:

approve a request to be made by Oxford City Council to the Secretary of State to “save” policies in the Adopted Oxford Local Plan 2001-2016, beyond the three year automatic period.

Key decision: No

Portfolio Holder: Cllr John Goddard

Deputy Responsibility: Environment

Ward(s) affected: All

Report Approved by

Portfolio Holder: Cllr John Goddard

Legal: Kate Chirside

Finance: Chris Kaye

Strategic Director: Sharon Cosgrove

Policy Framework: The Oxford Local Plan 2001-2016

Recommendation(s):

That Executive Board recommend to Council that they:

1. approve the schedule of Saved Local Plan policies to be submitted to Secretary of State (via GOSE).
2. authorise the Planning Policy Manager to make any necessary editorial corrections to the submission document.
3. approve an amendment to the LDS that, following receipt of the South East Plan Panel Report, the timetable for submission of the Core Strategy to the Secretary of State be revised from January 2008 to October 2008.

That Council:

1. approve the schedule of Saved Local Plan policies to be saved to be submitted to Secretary of State (via GOSE).

2. authorise the Planning Policy Manager to make any necessary editorial corrections to the submission document.

Summary

- 1 The purpose of this report is to consider the schedule of saved policies, which is to be submitted to the Secretary of State for approval.
- 2 The Planning and Compulsory Purchase Act 2004 provided for the saving of policies adopted in Local Plans for a period of 3 years from the commencement of the Act, or for 3 years from the date of adoption whichever is the longer. The Oxford Local Plan 2001-2016 was adopted on 11th November 2005, and is hence 'saved' until 11th November 2008.
- 3 In addition, there is a requirement for the City Council to submit a list of policies it wishes to save at least six months before the expiry of the 3 years, hence May 2008.
- 4 It is considered expedient to undertake this work now so as that this can be clear before the examination into the West End Area Action Plan in January 2008.
- 5 Executive Board are asked to recommend that Council approve the schedule of saved policies be submitted to Government via GOSE. If the list is not submitted by the deadline (May 2008) GOSE will assess the policies and delete those they feel are no longer required with out any reference to the Planning Authority.

The Assessment of the Previously Saved Policies

- 6 In order to determine whether the saved policies should be extended they have to be assessed against the criteria set out in Planning Policy Statement 12: Local Development Frameworks (paragraph 5.15). In addition, an explanation of how any request would be assessed is set out in a protocol produced by the Department of Communities and Local Government in August 2006.
The criteria are as follows: -
 - where appropriate, there is a clear central strategy;
 - policies have regard to the Community Strategy for the area;
 - policies are in general conformity with the regional spatial strategy or spatial development strategy;
 - policies are in conformity with the core strategy development plan document (where the core strategy has been adopted);
 - there are effective policies for any parts of the authority's area where significant change in the use or development of land or conservation of the area is envisaged; and
 - policies are necessary and do not merely repeat national or regional policy.

In addition, the Government will also have particular regard to:

- policies that support the delivery of housing, including unimplemented site allocations, up to date affordable housing policies, policies relating to the infrastructure necessary to support housing;
 - policies on Green Belt general extent in structure plans and detailed boundaries in local plans/UDPs;
 - policies that support economic development and regeneration, including policies retailing and town centres;
 - policies for waste management, including unimplemented site allocations;
 - policies that promote renewable energy; reduce impact on climate change; and safeguard water resources.
- 7 Under the Planning and Compulsory Act 2004 all the policies have to be assessed. A schedule has been compiled listing the policies to be saved and those, which can be deleted. It gives reasons for the decision. This schedule has been appended to this report in Appendix A.
- 8 The schedule of saved policies has been prepared in line with the protocol published by department of Communities and Local Government and PPS12. The policies have been subject to a rigorous assessment against the criteria in the protocol.
- 9 The majority of policies in the Adopted Local Plan are to be saved. The only ones which are proposed to be deleted, are site-specific proposals, where the developments have been fully implemented.
- 10 Once the Secretary of State issues the direction for the policies to be saved, the policies are saved in perpetuity. This means they will remain in force until they are replaced by future policies in the Local Development Framework.

Update to the Local Development Scheme

- 11 The City Council has committed to the production of the Core Strategy DPD in the Local Development Scheme (LDS) as approved by the Secretary of State. The LDS originally programmed the Core Strategy to be submitted to the Secretary of State in January 2008. However, in August the Panel of Inspectors that examined the draft South East Plan published their report (the Panel Report). The report proposes some new elements to the South East Plan that would have significant impact on Oxford, in particular an urban extension to the south of Grenoble Road. It is important that the implications of the Panel's Report can be tested and consulted upon prior to the submission of the final Core strategy. It is therefore appropriate to publish a further preferred options consultation document, which could incorporate an early pre-submission draft of many of the other policies.

- 12 In addition, the County Council has advised us that their current Oxford transport model is outdated and that the evidence base for the Core Strategy will not be robust and credible unless we wait for the new Central Oxfordshire model to inform it. A lack of up to date information could potentially cast doubt on the soundness of the final document. Since the new model will not be in place until May/June 2008, and then various scenarios will need to be tested, it is necessary to delay submission of the Core Strategy until autumn 2008.
- 13 An amendment is required to the timetable included in the LDS so as to include the further preferred options/pre-submission draft, and to change the submission date to October 2008. In order to make this change, an approved amendment to the LDS must be submitted to the Secretary of State for his approval prior to the January milestone. Appendix B contains the draft amendment to the LDS. Discussions have been held with the Government of Office for the South East (GOSE) and their preliminary view is that this amendment would be acceptable. Executive Board are asked to consider the amendment and to approve it for submission to the Secretary of State.

Recommendations

That Executive Board recommend to Council that they:

1. approve the schedule of Saved Local Plan policies to be submitted to Secretary of State (via GOSE).
2. authorise the Planning Policy Manager to make any necessary editorial corrections to the submission document.
3. approve an amendment to the LDS that, following receipt of the South East Plan Panel Report, the timetable for submission of the Core Strategy to the Secretary of State be revised from January 2008 to October 2008.

That Council:

1. approve the schedule of Saved Local Plan policies to be saved to be submitted to Secretary of State (via GOSE).
2. authorise the Planning Policy Manager to make any necessary editorial corrections to the submission document.

Appendices

- 14 A – Schedule of Saved Policies
B – Draft amendment to the Local Development Scheme.

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Background papers: none

