
This paper has been produced following a request from Mr Pratt for the City Council to submit a brief written response to the points raised in the statements to the Procedural Meeting. The City Council has not sought to respond to each individual point raised, but has identified some key themes emerging from the statements that require a response.

1. Why is the deletion of the South of Oxford Strategic Development Area (SOSDA) of limited significance to the Core Strategy?

1.1 A number of the statements queried why the City Council is of the view that deletion of SOSDA from the South East Plan Regional Spatial Strategy (RSS) would have limited impact on the Core Strategy, and some felt this was not credible. In summary, the City Council considers that there would only be a limited impact because:

- The Core Strategy was already fairly well advanced prior to the publication of the South East Plan Panel Report in August 2007. While the City Council sought to ensure that the Core Strategy was in general conformity with the RSS by incorporating SOSDA at Further Preferred Options stage, in practice the spatial strategy for Oxford did not vary significantly because of SOSDA;
- Since SOSDA would be outside the city boundary, the purpose of Core Strategy Policy CS8 is simply to ensure that SOSDA integrates successfully with the city and brings benefits for existing communities within Oxford;
- The RSS allocation of 4,000 dwellings at SOSDA is separate to the allocation of 8,000 dwellings in Oxford, and does not affect the city's ability to meet its RSS housing target;
- SOSDA is not in competition with strategic sites within Oxford, i.e. the City Council has not held back any strategic sites within Oxford because of the allocation of SOSDA in the RSS;
- While there would be some impact on the housing/employment balance, this would be relatively limited in a city-wide context, as set out in the City Council's response to the Inspector's questions in November 2009.

2. Prematurity, conformity and cross-boundary issues

- 2.1 The most common point made by those opposed to proceeding with the examination at the current time was that this would be premature in light of the current uncertainties surrounding the legal challenges to the South East Plan. Some respondents argued that the City Council should not be rushing ahead with its Core Strategy. Arguments were also made that this could lead to a position of non-conformity with the RSS.
- 2.2 It is important to recognise that the Government has consistently encouraged local planning authorities to make timely progress in implementing their Local Development Frameworks, notwithstanding any delays at regional level. Paragraph 4.55 of PPS12 (Local Spatial Planning) states that “it is critical that core strategies are produced in a timely and efficient manner. This is essential for the supply of housing and other development to meet need.” A number of local planning authorities across the south east have already adopted their core strategies, with twelve core strategies being adopted in advance of publication of the final version of the South East Plan in May 2009.
- 2.3 In terms of conformity, while it is acknowledged that there is uncertainty about the eventual outcome of the legal challenges, the City Council does not consider there is any serious prospect of the Core Strategy being in non-conformity. For instance, the policy approach to housing supply in the Core Strategy is flexible enough to be able to deliver some additional housing in Oxford should that be a possible consequence of the deletion of SOSDA. In this regard, the City Council notes the advice in paragraph 4.14 of PPS12 that “if a strategy has some room for manoeuvre, it should not need to be updated simply because there has been a change in the housing numbers in the regional spatial strategy.”
- 2.4 A point was raised that the City Council should wait for the other Oxfordshire districts to make further progress with their core strategies in order to ensure cross-boundary consistency. The neighbouring districts are in fact making progress on their core strategies. It is understood that South Oxfordshire District Council (SODC) is likely to be taking its updated Core Strategy to Cabinet in early April. Vale of White Horse District Council (VoWHDC) is currently consulting on proposed changes to its Preferred Options, while Cherwell District Council and West Oxfordshire District Council are both likely to be publishing documents for consultation in February (Submission Draft and Preferred Approach respectively).

2.5 Furthermore, SODC, VoWHDC and Oxfordshire County Council have all indicated in their statements that they believe progress can be made with the Oxford Core Strategy examination while the legal challenges to SOSDA are proceeding.

3 Implications for housing provision

3.1 A number of statements addressed the possible implications of the legal challenges for housing provision in Oxford, with some concerns expressed about the potential consequences of additional housing within the city, such as possible development of unsuitable sites, 'town cramming' and unacceptable pressures on the existing infrastructure.

3.2 As indicated in the City Council's response to the Inspector's questions in November 2009, should SOSDA not come forward during the RSS plan period, there would still be a need to accommodate the 4,000 dwellings elsewhere in Central Oxfordshire. At this stage it is too early to say where that would be.

3.3 Core Strategy Policy CS23 provides for a minimum of 400 dwellings per year and, within the framework of the Core Strategy, the City Council will seek to deliver more than the RSS target of 8,000 dwellings over the twenty year period if additional sites become available. Allowing for windfalls to come forward at a fairly cautious rate, it is currently estimated that projected completions will be around 9,000 over the RSS plan period. The Council's proactive approach to housing delivery may yield some further provision.

3.4 However, there is clearly a limit to Oxford's capacity to accommodate additional housing without causing detriment to the city's special character. The Core Strategy seeks to protect the city's intrinsic environmental assets, such as the historic core, the extensive flood plain and areas of ecological value, from inappropriate development. As stated in November, the City Council is already working to bring forward as much housing land as possible, within the environmental constraints that apply in Oxford.

4 Employment/housing balance

4.1 It was claimed in some statements that the figures quoted by the City Council in November were potentially misleading, or had been superseded by new information.

- 4.2 The City Council's evidence in November used the same methodology and baseline data as used throughout the Core Strategy examination process, in order to ensure a consistent approach. The calculation of economically active persons was based on information for 2006 from the Office of National Statistics (ONS). Trend-based estimates were then used to estimate the potential increase in Oxford's workforce over the Core Strategy period taking into account projected housing growth. Occupancy rates for the housing stock were based on the forecast average household size in Oxford in 2026, according to data from the Balance of Dwellings Study by Fordham Research (CD 14/3).
- 4.3 The latest information from the Annual Business Inquiry (ABI) data does seem to show an increase in the jobs in Oxford between 2006 and 2008. It would, however, be inappropriate to use this data to estimate the future workforce since it is from a different source to the baseline information and therefore could not be used to inform the trend-based projections. The period 2006-2008 was prior to the economic recession and only gives a short term picture. It should not therefore be taken as an accurate guide to what might happen over the plan period, particularly given Oxford's relative dependence on public-sector employment and consequent vulnerability to future public-sector spending cuts.

5 Green Belt

- 5.1 Some of the statements argued that, since the legal challenges to the RSS relate to Green Belt reviews, the outcome of those challenges could have wider implications for Green Belt policy in Oxford and specifically the proposal for a Green Belt review at the Northern Gateway.
- 5.2 The legal challenges to the South East Plan relate to the procedure undertaken to comply with European Directive 2001/42/EC, in relation to conducting a Strategic Environmental Assessment (SEA) of the South East Plan. The Secretary of State has conceded that the requirement to assess alternative sites, as part of the SEA process, was not carried out in accordance with the European Directive. There is no challenge that the City Council is aware of relating to whether proper consideration was given to PPG2 (Green Belt), or any policy or procedure other than the European Directive, in relation to the RSS. There is, therefore, no reason to believe the outcome of these legal challenges will have wider implications for the application of Green Belt policy. The successful legal challenges to the East of England RSS, which also related to lack of consideration of alternatives to Green Belt reviews, did not in themselves shed new light on Green Belt policy.

5.3 The Core Strategy examination has already considered the Core Strategy's general approach to the Green Belt, and specifically what exceptional circumstances exist that might justify including land that is currently Green Belt within the Northern Gateway. The City Council does not consider that the outcomes of the legal challenges to the RSS are likely to have a significant bearing on the arguments for or against the proposal for a small-scale Green Belt review at the Northern Gateway.

6. Is consultation needed on the deletion of SOSDA from the Core Strategy?

6.1 It was argued in some statements that further consultation would be needed if it were to be decided to remove all references to SOSDA from the Oxford Core Strategy, given that its original inclusion necessitated a further round of consultation. Some respondents felt that an absence of further consultation now would be inconsistent with the Council's Statement of Community Involvement (SCI).

6.2 The City Council would draw attention to the fact that extensive consultation has already been undertaken on the Core Strategy, both without SOSDA (at Issues and Options and Preferred Options stages) and with SOSDA (at Further Preferred Options and subsequent stages). All such consultation has been carried out in compliance with the SCI. In the City Council's view a further formal round of consultation would therefore be unnecessary, although all participants in the examination should be afforded the opportunity to put forward further views in writing prior to any additional hearing sessions that may be arranged.

7. Contingencies

7.1 A number of statements commented on the contingencies mentioned in the City Council's response to the Inspector's questions, in some cases suggesting that it might be procedurally unsound to incorporate such contingencies into the Core Strategy at this late stage.

7.2 The City Council considers that contingency arrangements already exist in the Core Strategy with regard to overall housing provision. In relation to the employment/housing balance, and specifically the Northern Gateway, the City Council has indicated that its preferred contingency arrangement would be to introduce a phasing policy. The possibility of phasing has already been debated at the Core Strategy examination, and was one of the matters raised by Mr Fenton in his agenda for the Northern Gateway hearing sessions.

7.3 While the possibility of allocating additional housing at the Northern Gateway has been proposed by the Northern Gateway Consortium, rather than the City Council, the Council sees no reason why this would undermine the procedural integrity of the Core Strategy. Not only has the possibility of housing on this site already been debated at the Core Strategy examination, but the option of housing at the Northern Gateway was put forward for consultation at Preferred Options stage and has been assessed in the Sustainability Appraisal.

8. Minimum alterations necessary to take account of the possible deletion of SOSDA

8.1 A point was raised about whether the minimum alterations suggested by the City Council in its November response to the Inspector's questions covered all the textual alterations that might be required. For clarity, and at the suggestion of the Inspector, the City Council has prepared a schedule showing the further changes to the Core Strategy that would be required as a consequence of the possible deletion of SOSDA from the South East Plan.

8.2 Some respondents argued that deleting all references to SOSDA from the Core Strategy might compromise bringing that site forward in the event that the Secretary of State were to come to the conclusion, in the light of the further work required to comply with the SEA Directive, that SOSDA remains the most sustainable location for the proposed 4,000 dwellings. However, since SOSDA would be outside the City Council's administrative boundary, the omission of references to it in the Oxford Core Strategy would not prevent it from being brought forward through SODC's Local Development Framework if appropriate. In any event, the City Council notes that the work required under the SEA Directive to assess whether there are any reasonable alternatives to SOSDA is due to be completed by 31st March 2010. The timing and potential implications of this work will clearly be one of the matters to be discussed at the Procedural Meeting.