

OXFORDSHIRE COUNTY COUNCIL'S RESPONSE TO THE FOLLOWING CONSULTATION:

District: Oxford City

Consultation: Littlemore Neighbourhood Plan 2025-2040 (Submission Document)

Closing Date: 9/12/2024

Annexes to the report contain officer advice in full.

Overall View of Oxfordshire County Council

Oxfordshire County Council welcomes the opportunity to comment on the Littlemore Revised Neighbourhood Plan and supports the Parish Council's ambition to prepare a Neighbourhood Plan.

Response to pre-submission consultation

Oxfordshire County Council provided comments on the Regulation 14, pre-submission draft of the Revised Littlemore Neighbourhood Plan. We welcome the changes that have been made in response to our comments but note that some matters have yet to be satisfactorily addressed. All comments should be viewed in conjunction with Oxfordshire County Council's comments on the Regulation 14 consultation.

Local Transport and Connectivity Plan (LTCP)

Oxfordshire County Council welcomes the greater level of reference to the LTCP within the draft submission version of the Neighbourhood Plan. However, the draft submission plan outlines that it is only 'broadly in line' with the LTCP. Given that the LTCP sets out Oxfordshire County Council's objectives for transport, travel and tackling climate change, as well as being a statutory document under the Transport Act 2000, it is recommended that a greater level of alignment is given to the LTCP throughout the Neighbourhood Plan.

More specific recommendations can be found in the Transport policy officer's comments below.

Community Facilities

Oxfordshire County Council has concerns regarding the general conformity of Policy CIS1 with policy V7 of the adopted Oxford City Local Plan. The draft policy CIS1 replicates the wording of policy V7 and does not add any additional restrictions. As such the proposed policy CIS1 does not add a distinct local approach to policy within the adopted Local Plan and therefore falls short of Basic Condition (e).

Please see the Oxfordshire County Council Property team's response below for specific recommendations.

Oxfordshire County Council also expressed concerns at the pre-submission consultation stage with regards to the use of school facilities for the wider community within draft policy CIC2. This is due to the purpose of schools being primarily for education. As such any community use of these education facilities must be agreed with the relevant body (in this case the Academy Trust). The designation of the use of these facilities therefore falls outside the remit of a Neighbourhood Plan Policy and instead should be considered a community aspiration. It is therefore recommended that the Oxford Academy playing fields be removed from policy CIC2.

Appendix 3

Oxfordshire County Council notes that Appendix 3 has been added outlining the scope of the Parish Council's intended works to designate Local Green Space, Wildlife Sites and Tree Protection Orders. Whilst Oxfordshire County Council is broadly supportive of the designation of these sites there is concern that designation of Oxfordshire County Council assets within these designations could hinder further development of the sites for the public benefit.

This includes assets such as the Oxford Academy playing fields and any Highways Land that may be included within the designations. These assets are protected from development by Sport England and the Highways Authority respectively and as such designations as Local Green Space would be unnecessary.

It is therefore requested that careful consideration is given to Oxfordshire County Council assets when Local Green Space and Local Wildlife Sites are designated and Oxfordshire County Council assets be excluded from any designation.

Officer's Name: George Gurney

Officer's Title: Strategic Planner

Date: 09 December 2024

ANNEX 1
OFFICER ADVICE

District: Oxford City

Consultation: Littlemore Neighbourhood Plan 2025-2040 (Submission Document)

Team: Strategic Planning

Officer's Name: George Gurney

Officer's Title: Strategic Planner

Date: 03/12/2024

Strategic Planning Comments

Littlemore Parish lies at the southern boundary of Oxford City and includes allocations in the adopted Oxford City Local Plan, as well as being immediately adjacent to the South Oxfordshire Local Plan allocation of Grenoble Road. The draft neighbourhood plan covers the entire parish area.

Oxfordshire County Council Strategic Planning Team is pleased to see that careful consideration and support has been given to key strategic priorities such as the Cowley Branch Line (Policy TCC2). The Strategic Planning Team is also supportive of policies which seek to reduce reliance on single car journeys, promote active and sustainable travel, and the creation of mobility hubs (TCS1 and TCC6) as these support the goals of the Local Transport and Connectivity Plan¹.

Finally, the Strategic Planning Team welcomes policies NES1, NES2, NES3 and NEC1 which seek to protect and enhance the natural environment and green infrastructure as well as increase biodiversity, which aligns with Oxfordshire County Council's countywide priorities.²

However, the Strategic Planning Team does have concerns with the ability of policy NES2 to be implemented. The policy or the supporting text should indicate what level of evidence is required to demonstrate that a 15% net gain in biodiversity is not achievable (such as a metric, or biodiversity statement). It should also be made clear that the policy is not applicable to Householder level developments as the national requirements for a measured 10% net gain in biodiversity do not apply to Householder level development.³

¹ [Local Transport and Connectivity Plan](#)

² [Tree Policy for Oxfordshire](#), [Green Infrastructure and Access to Nature](#) and [Biodiversity and Planning](#)

³ [Biodiversity net gain: exempt developments - GOV.UK](#)

District: Oxford City

Consultation: Littlemore Neighbourhood Plan 2025-2040 (Submission Document)

Team: Oxfordshire County Council Property

Officer's Name: Panos Konidaris

Officer's Title: Senior Planner

Date: 29/11/2024

Property Comments

Policy CIS1 Replacement of community facilities

Oxfordshire County Council Property notes that no changes were made to this draft policy, and therefore recommends some revisions to the wording to ensure that the Neighbourhood Plan meets the Basic Conditions as set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 (as amended).

As highlighted during the Pre-Submission (Regulation 14) Consultation for this Neighbourhood Plan, Oxfordshire County Council manages several buildings that provide local services to the Neighbourhood Plan Area. If a need arises to relocate the services to these type of buildings to a different location, or in the event that they may be deemed to no longer be needed for their original purpose, then it would be essential to ensure that this draft policy would not impose unnecessary restrictions on the County Council doing this or using the funds from the redevelopment of existing facilities to fund the provision of new facilities.

This draft policy currently imposes locational restrictions, which replicate the wording that is currently used in adopted **Oxford Local Plan Policy V7: Infrastructure and cultural and community facilities**. Oxfordshire County Council Property considers that this does not add any value to this Local Plan Policy and instead creates confusion as to whether this draft policy seeks to impose additional restrictions to development proposals for replacement community facilities that are materially different from those listed in **V7**.

If the aim of this draft policy is to provide local context to **V7** by listing every community facility where their replacement with a new or improved facility will be supported and to not propose any further locational restrictions, Oxfordshire County Council Property would like to propose the following minor modification to the wording of this draft policy in order to improve clarity and remove unnecessary text duplication.

“Where the loss of a community facility is unavoidable because of development, development proposals for a replacement of that facility (the same size or larger, and with the same or improved facilities) that will ~~should~~ be provided as near to the facility as possible, will be supported. ~~or at a location equally or more accessible to Plan Area residents by walking, cycling, and public transport.~~ Replacement facilities that would result in an overall improvement on the existing facility in terms of size, amenity, or enhancement to the Plan Area will be supported. Proposals to change the facilities at the Ozone Leisure Park, the Community Centre or the Village Hall will be supported only if the range and quality of facilities there is maintained or improved. In particular, proposals to improve the facilities at and adjacent to the Community Centre and the

Village Hall, and to secure the funding via Section 106, Community Infrastructure Levy, or similar schemes will be supported.”

Oxfordshire County Council Property considers the proposed modification to the wording of this draft policy to be necessary, as otherwise this Neighbourhood Plan would fail to meet the fifth basic condition which requires all of its policies to be in general conformity with the strategic policies contained in the development plan framework.

Policy CIS2 Improvement of existing community assets

It is the understanding of Oxfordshire County Council Property that this draft policy seeks to list the community facilities that are considered important in the Neighbourhood Plan Area and support development proposals for their improvement.

Oxfordshire County Council Property, however, notes that the fourth paragraph in this draft policy states that:

“Developments will not be supported that lead to an overall loss of such facilities within the Plan Area. Where the loss of any sports, leisure or recreation facility is proposed, a replacement facility (the same size or larger, with the same or improved facilities) should be provided as near the facility as possible (preferably within the Plan Area), or at a location equally, or more, accessible to residents of the Plan Area by walking, cycling or public transport. If a replacement facility is not practical or viable, a financial contribution should be provided sufficient to secure an alternative and/or improvement to an existing facility. When change of use is proposed, proposals which maintain or improve the leisure or recreation functions of the venue will be supported.”

Firstly, Oxfordshire County Council Property considers that this draft policy does not contribute to the achievement of sustainable development because the first sentence is negatively worded and does not take into account scenarios in which the loss of a community facility could be unavoidable. **Accordingly, it is considered that this Neighbourhood Plan does not meet the fourth basic condition.**

Secondly, Oxfordshire County Council Property notes that the second sentence is a duplication of the wording that is used in draft policy **CIS1**. Oxfordshire County Council Property finds this confusing, as this draft policy concerns development proposals for the improvement of community facilities and not their replacement, which is covered by draft policy **CIS1**. **Accordingly, it is considered that this Neighbourhood Plan does not meet the fourth and fifth basic condition as it does not contribute to the achievement of sustainable development and is also not in general conformity with the relevant strategic policies contained in the development plan framework.**

Thirdly, Oxfordshire County Council Property is concerned about the third sentence of this draft policy wording, as it does not provide clear guidance on how this financial contribution would be calculated and the mechanism that would be used to secure it. As highlighted during Regulation 14 Consultation, any development proposal for the replacement/improvement of a community facility would need to be assessed on a

case-by-case basis. This draft policy wording does not provide sufficient details or clarity, as to the methodology to be applied in order to calculate any financial contributions that may be sought or the criteria required to determine if a location can be considered appropriate. Furthermore, as drafted, this policy goes beyond the approach set out in Local Plan policy V7 and doesn't take account of situations where facilities are no longer viable, valued or needed, in which case their replacement or a financial contribution in lieu may not be justified. In such cases, requiring this to occur would not necessarily accord with the requirements of policy V7 or paragraph 97 of the NPPF.

Accordingly, it is considered that this Neighbourhood Plan does not meet the fourth and fifth basic condition as it may not contribute to the achievement of sustainable development and may also not be in general conformity with the relevant strategic policies contained in the development plan framework.

In light of the above, Oxfordshire County Council Property respectfully request the deletion of the fourth paragraph to this draft policy:

“Where possible, existing sports, leisure, and recreation facilities as listed below, in addition to those mentioned in CIS1, will be safeguarded and proposals for improvement will be supported:

- *Those on The Oxford Academy Campus site OX4 6JZ, including the Littlemore Library*
- *The Community Hub, John Henry Newman Academy, OX4 4LS*
- *Littlemore Rugby Club, OX4 4NH*
- *Oxford and District Indoor Bowls Club, OX4 6NA*
- *Littlemore Royal British Legion, OX4 4LZ*
- *The George Inn, OX4 4PU*
- *The Golden Ball Pub, OX4 4LZ*
- *Oxford Road Recreation Ground, OX4 4PF*
- *Herschel Crescent Recreation Ground, OX4 3QY*
- *Redmoor Close Recreation Ground, OX4 4PT*
- *Mogridge Drive Recreation Ground, OX4 4QN*
- *Village Green, OX4 4LG*
- *Little Park, OX4 4PE*
- *Scout Hut, Fairlie Road, OX4 3SW*
- *The public toilets in Cowley Road*
- *Thomson Terrace Allotments*
- *Denny Garden Allotments*
- *Minchery Road Allotments*

Applications or developments that would result in an overall improvement to existing facilities in terms of size, amenity, or enhancement for those in the Plan Area will normally be supported.

Developments including activities, sports and leisure pursuits targeting children and young people and those with disabilities will be favoured.

~~*Developments will not be supported that lead to an overall loss of such facilities within the Plan Area. Where the loss of any sports, leisure or recreation facility is proposed, a replacement facility (the same size or larger, with the same or improved facilities) should be provided as near the facility as possible (preferably within the Plan Area), or at a location equally, or more, accessible to residents of the Plan Area by walking, cycling or public transport. If a replacement facility is not practical or viable, a financial contribution should be provided sufficient to secure an alternative and/or improvement to an existing facility. When change of use is proposed, proposals which maintain or improve the leisure or recreation functions of the venue will be supported.*~~

Proposals to build on parks and recreation grounds will be supported only when the buildings proposed are essential for their maintenance or for users such as sports pavilions.

Proposals for leisure and recreational developments elsewhere will be supported, particularly those that encourage people to make healthier choices about food and physical activity through an enabling environment, and those that are associated with improved mental health, for example those with outdoor gym equipment, recreational walking routes or a community garden/orchard.”

Policy CIC2 Improved range of, and access to, recreation opportunities especially for young people

Oxfordshire County Council Property has reviewed the document titled “Responses to the Public Consultation Summer 2024 on Littlemore Neighbourhood Plan sent direct to the Clerk/Chair of NPWG (ie not via or in addition to via website) and responses to these (in right hand column)” and appreciates the Neighbourhood Plan Steering Group’s response in page 8 where they confirm that:

“Evidence not shown in Plan but emerged from Issues and Options Survey and discussions. Since this is a community policy, it was thought that this can be included.”

Whilst Oxfordshire County Council Property appreciates the ambition of the Neighbourhood Plan Steering Group to improve the accessibility to several existing community facilities, it is important to ensure that draft policies are underpinned by robust assessments and clear evidence which demonstrate the methodology and criteria that were taken into account when informing a draft policy. In this case, the responses from the Issues and Options Survey that was conducted in 2019 is not considered to represent appropriate evidence of under-utilisation of the Oxford Academy.

As it was highlighted during the Regulation 14 Consultation, the purpose of this facility is primarily to meet the educational needs and not the community needs of the wider area. Agreements over community use of such facilities are not strictly land use planning matters, and are to be considered on a site by site basis. As a result, they are generally outside the scope of a Neighbourhood Plan. The Neighbourhood Plan Steering Group could instead consider including this as a community aspiration since it would align with the aspirations of the local community.

Accordingly, Oxfordshire County Council Property wishes to retain their objection and proposes the following modification to the text of this policy:

“Proposals to improve the range of, and access to, recreation opportunities especially for young people will be supported, with a view both to promoting physical and mental health and reducing anti-social behaviour. In particular, improved provision for a youth club ~~and more access to the facilities at The Oxford Academy, for the wider community,~~ and a well-designed play area in the recent Armstrong Road development will be supported.”

Oxfordshire County Council Property considers that this amendment to the draft policy is necessary, as otherwise **the Neighbourhood Plan as a whole would not meet the fourth basic condition as it would not contribute to the achievement of sustainable development in the Neighbourhood Plan area.**

Policy HWC1 Fostering community cohesion

Oxfordshire County Council Property welcomes the clarification provided by the Neighbourhood Plan Steering Group and the amendment made to this draft policy. Accordingly, Oxfordshire County Council Property has no further comments to make.

Policy NES2 Protection of wildlife habitats/ biodiversity

As highlighted during the Regulation 14 Consultation, Oxfordshire County Council Property controls the play areas and open spaces that surround the Oxford Academy, which is one of the areas proposed to be designated as a wildlife habitat.

Oxfordshire County Council Property appreciates the clarifications provided by the Neighbourhood Plan Steering Group in page 8 of the document titled *“Responses to the Public Consultation Summer 2024 on Littlemore Neighbourhood Plan sent direct to the Clerk/Chair of NPWG (ie not via or in addition to via website) and responses to these (in right hand column)”*:

“Concern noted, but given the decision to postpone discussions on designation, it was thought this did not require further changes (apart from adding Appendix 3).”

“Noted. However, as above, NES2 does not require gain of more than 10%, but supports this and requires reasons to be given if not. Evidence includes that from Oxford Local Nature Partnership (see link on page 27) but proposed policy sets out an aspiration and requires reasons where this cannot be met.”

Oxfordshire County Council Property continues to be concerned about this designation, as it will impose further unnecessary layers of protection on County Council land that is already managed for public benefit. The playing fields that are proposed to be designated are also already protected by Sports England, and therefore the high ecological value attributed to them in this Neighbourhood Plan is questioned, as Oxfordshire County Council Property considers this to be limited. It is also considered that reference to locations proposed to be designated by text only

does not bring the necessary clarity required by the NPPF to enable the delivery of sustainable development.

Further, Oxfordshire County Council Property supports the aspiration of the Neighbourhood Plan Steering Group to support the delivery of a biodiversity net gain that is higher than 10% and of their wish to prioritise the delivery of off-set gains within the Neighbourhood Plan Area. Nonetheless, Oxfordshire County Council Property considers that it is more appropriate for community aspirations to not be included in the text of a draft policy to ensure that it can be applied proportionately and contribute towards the delivery of the environmental objectives of sustainable development.

In particular, Oxfordshire County Council Property questions how the findings of the Oxford Local Nature Partnership could be used as evidence to justify an increase in the biodiversity net gain figure in the Neighbourhood Plan Area, as the study area covers the whole of Oxfordshire and does not specify that there is clear local need for a higher percentage in Littlemore. The Planning Practice Guidance in that regard makes clear that:

“Plan-makers should not seek a higher percentage than the statutory objective of 10% biodiversity net gain, either on an area-wide basis or for specific allocations for development unless justified. To justify such policies they will need to be evidenced including as to local need for a higher percentage, local opportunities for a higher percentage and any impacts on viability for development. Consideration will also need to be given to how the policy will be implemented.”

Paragraph: 006 Reference ID: 74-006-20240214”

Oxfordshire County Council Property would also like to highlight once again the significance of adhering to the hierarchy for delivering biodiversity net gain, which starts with onsite enhancements, then off-site units and then as a last resort, off-site credits. The removal of this flexibility could have serious implications for the delivery of any Oxfordshire County Council educational and community projects located within this Neighbourhood Plan Area. In addition, good practice guidance on BNG does not require that net gains be provided within the same geographical location, contrary to the third sentence of the policy as drafted.

In light of the above, Oxfordshire County Council Property respectfully requests the following modifications to the supporting text and draft policy to ensure that the Neighbourhood Plan as a whole meets the first, fourth and fifth basic conditions.

In page 28 delete fourth sentence of first paragraph and seventh bullet point from second paragraph:

“As argued above, we believe that we should aim for a net gain in biodiversity working towards 20% and that new developments should aim for at least 15% where possible; and that any loss of biodiversity should not be allowed to be off-set by gains outside Littlemore.”

“The following areas have been identified as wildlife habitats which while not of sufficient significance to be protected by national legislation need to be protected:

- *The Northfield and Littlemore Brooks and surrounding land*
- *The two large recreational parks at Oxford Road and Herschel Crescent/Long Lane*
- *The Village Green at the junction of Newman Road and Cowley Road*
- *Graveyard and nature reserve associated with St Mary and St Nicholas Church*
- *Green areas associated with the surroundings of the Littlemore Mental Health Centre*
- *Green areas around the Kassam Stadium*
- ~~*Green areas and playing fields associated with The Oxford Academy*~~
- *The nature reserve abutting Plot 27 of the Oxford Science Park (between the railway line and Grenoble Road)*
- *Other pocket parks, grass verges and green corridors*
- *Allotments.”*

Delete the second part of the policy.

“Proposals which affect the wildlife habitats identified in the accompanying text above will be supported only if these are protected and where possible enhanced. In keeping with the aspiration to achieve net gain of biodiversity greater than 10%, applicants will be expected to justify why a net gain of 15% or more is not possible when this is not proposed. Proposals which entail any loss of biodiversity will be supported only if any gains elsewhere are within Littlemore.”

District: Oxford City

Consultation: Littlemore Neighbourhood Plan 2025-2040 (Submission Document)

Team: Place Planning and Coordination

Officer's Name: Rebecca Crowe

Officer's Title: Transport Planner

Date: 20/11/2024

Place Planning Comments

- Policy TCS1- at pre-submission stage we recommended referencing Decide and Provide within the Policy. Further details can be found via the following link [Implementing 'Decide & Provide': Requirements for Transport Assessments \(oxfordshire.gov.uk\)](#). Although not referenced within the policy, we note it is referenced within the document.
- Policy TCC1- at pre submission stage we suggested removing '*and timely repairs to road and pavement surfaces*' from the policy as this is not a planning policy matter. Oxfordshire County Council has an approved budget to maintain roads, footpaths, pavements and cycle paths. To manage this, we fix reported potholes based on the risk that they pose to all road users, while also carrying out scheduled maintenance. We note that this alteration was not made in the submission draft and therefore make our recommendation again.
- TCC2 Cowley Branch Line - Oxfordshire County Council has a Mobility Hub Strategy. Therefore, we recommended at pre-submission stage changing 'transport hub' to 'mobility hub'. This has been changed to 'transport/mobility hub'.

Appendix 3 (Designation Of Green Spaces and Local Wildlife Sites and Updating of Tree Preservation Orders) has been added following on from conversations between LPC and Oxford City Council in August 2024 – it is not clear what has been decided in these conversations. It is worth noting that where land has highway status, this takes legal precedence over the rights of the sub soil owner and no works can take place without the County Council's approval. The highway status of the land means that the public have the right to pass and re-pass over it and public utilities have the right to site equipment on or within it. It is unclear how any green space status could affect this, or the County Council's ability to carry out any highway works or improvements in the future and we would not want to fetter this ability in any way.

District: Oxford City

Consultation: Littlemore Neighbourhood Plan 2025-2040 (Submission Document)

Team: Transport Policy

Officer's Name: Ashley Hayden

Officer's Title: Area Movement and Place Strategies Team Leader

Date: 27/11/2024

Transport Policy Comments

- We note the Transport and Connectivity Chapter makes reference to Oxfordshire County Council's [Local Transport and Connectivity Plan](#) (LTCP) which is the statutory Local Transport Plan for the county. However, rather than the policies "*broadly in line with the objectives of the LTCP*" we would recommend they align with the LTCP, as this is the statutory Local Transport Plan for the county.
- Policy TCS1 – as previously noted, we would encourage reference to the LTCP transport user hierarchy (policy 1) which outlines the order in which we will develop, assess and prioritise transport schemes, development proposals and guidance for new development (policy 12). There is also opportunity to refer to wheeling opportunities.
- Policy TCC1- As noted previously, this policy has scope to include the County Council's commitment to Vision Zero and adopted [Vision Zero Strategy and Action Plan](#). We also note the amendments to reflect "wheelchairs and pushchairs" but this could be strengthened to reflect those with other accessibility needs. Therefore, including supporting text to reflect this would be encouraged.
- Mobility hubs – we note the wording '*Mobility*' has been included before hub recognising the council's amendment but to avoid doubt would recommend removing the wording 'transport'. For completeness, we recommend replacing the current wording of "*transport/mobility hub*" with "*mobility hub*".
- Policy TCC4 – acknowledged the County Council's [2023-24 Director of Public Health annual report](#) has now been included in the Health and Wellbeing Chapter although it could also be referenced in this policy, as previously suggested.
- Policy TCC6 - in reference to HGV's and as previously noted, the supporting text to this policy could be strengthened. It could reference the existing 7.5 tonnes weight restriction in place covering all roads within Littlemore but excluding any length of the Oxford City ring road. This could replace or add to the current wording "*a situation which is likely to increase in future years unless measures are taken to restrict this.*"

District: Oxford City

Consultation: Wantage Neighbourhood Plan 2023 – 2031 (Submission Document)

Team: Minerals and Waste

Officer's Name: Helen Gosnell-Whyman

Officer's Title: Planning Officer

Date: 21/11/2024

Minerals and Waste Comments

The Minerals and Waste team have no comments to make on the Littlemore Neighbourhood Plan.

LOCAL MEMBER VIEWS

Cllr: Trish Elphinstone

Division: Rose Hill & Littlemore

Comments: I fully support the Littlemore Parish Council updates to the neighbourhood plan and commend the work that has been put into it for the future benefit of Littlemore.

Date: 26/11/2024
