

# OXFORD CIVIC SOCIETY



SHAPING OXFORD'S FUTURE

## **OXFORD LOCAL PLAN 2036 - RESPONSE TO PREFERRED OPTIONS CONSULTATION**

### **ABSTRACT**

*All 107 Preferred Options have been reviewed and comments made using the resources of the Oxford Civic Society's Planning, Transport, Housing and Oxfordshire Futures Groups. We agree with 34 of the Preferred Options and agree with a further 61 with reservations and suggested refinements. We do not agree with 11 of the Preferred Options and have added an additional Option for consideration. Comments are also made on strategic planning issues including the coordination of Oxford's Local Plan with those of our neighbouring Districts, city centre polices and the synchronization of Oxford Local Plan preparation with current and planned city-wide and city centre transport studies.*

**Oxford Civic Society – August 2017**

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## **1 INTRODUCTION**

1. Oxford Civic Society has welcomed the opportunity to comment on the Oxford Local Plan 2036 Preferred Options document. We have reviewed each section of the Report using the resources of our Planning, Transport, Housing and Oxfordshire Futures Working Groups. Our comments are made in the spirit of constructive collaboration and we look forward to continuing to collaborate on the preparation of this Local Plan 2036 which will become the main planning policy document for the City of Oxford.

2. Our main comments are detailed and specific to the 107 Preferred Options (Sections 2.1 – 2.7 below) but first we present our more strategic concerns about the Local Plan 2036.

### **1.1 COORDINATED DEVELOPMENT PLANNING IN THE CITY-REGION AND IN OXFORDSHIRE GENERALLY**

3. There is no disputing that the various functions of the city extend well beyond the city boundaries. Although it is understood that the Local Plan 2036 can only include policies for areas within the city boundary it is necessary for the Local Plan 2036 to ensure that development planning and management in the city-region is effective, efficient and sustainable. We understand that a great deal of joint development planning work is being done through the duty-to-cooperate by city, districts and county. We recommend that the Local Plan 2036 clearly explains the way in which the city-region is functioning and is being planned and how transport and other services are being provided within the city region and between the areas of the city-region outside the city boundary and the city. It is hoped that the district local plans will also be explaining their relationship to the city although at present this aspect of the district local plans is not always sufficient.

4. In particular, explanation of the functioning of the city-region should enable an assessment to be made of the adequacy of the provision and location of housing and employment in the city-region within the plan period and the adequacy of transport (especially public transport) and other links between the city and the city-region.

5. By the time of the next stage of Oxford Local Plan 2036 consultation in 2018, most neighbouring local authorities will have completed their updated local plans and the recommended assessment will be facilitated and adjustments could be made as necessary to the Oxford Local Plan 2036 at least.

6. If the proposed Oxfordshire Joint Spatial Plan is prepared in the period 2017-2019 (say) the assessment of links between the city and the city-region and Oxfordshire and beyond could be deepened. It is possible that revisions may be needed to the newly approved local plans in Oxfordshire if the Joint Spatial Plan is thorough and is based on an infrastructure capacity assessment (which the current Oxfordshire Infrastructure Strategy does not appear to be, or to be based on).

7. In addition by the time of the next Local Plan 2036 consultation, more may be known of the proposed East-West economic corridor, the concept of which is being developed by the National Infrastructure Commission in association with local authorities along its route, including the local authorities of Oxfordshire.

### **1.2 CITY AND CITY CENTRE POLICIES AND CURRENT / PROPOSED TRANSPORT STUDIES**

8. We very much welcome the narrative that is provided in the Transport Background Paper. We agree wholeheartedly that it is important for the success of the proposals in the Oxford Local Plan 2036 that a transport strategy is in place that will successfully and sustainably accommodate and manage transport needs to support new developments (and, we hope, will also address

current transport deficiencies). We also very much welcome the City's collaboration with the County on the studies referred to in the Background Paper:

- A study of the management of traffic within the city (critical to enabling greater priority to be given to non-car modes) and
- A study on a 'city centre movement and public realm strategy' – this is something we have been requesting for a long time!

9. We are interested to know if there will be a consultation on these fundamentally important transport studies before the next Local Plan 2036 consultation. The Oxford Civic Society would in any event wish to contribute to these studies.

10. We also note that the city centre is not addressed as a specific policy or geographic area, although some policies associated with city centre development are distributed throughout the 107 Preferred Options. We recommend that when the essential city centre movement and public realm strategy is complete a city centre development strategy is explicitly presented in the Local Plan 2036. We recommend that this strategy includes the west end area development sites (including Osney Mead Industrial Estate, Oxpens, the 'Island site', Frideswide Square, the station redevelopment (please see our separate comments on the draft Station SPD) and the Westgate linked to the Castle site. The hope is that if the integrated city centre strategy is based on a feasible transport strategy an efficient and sustainable city centre development strategy will be enabled.

11. The implication of this is that the West End Area Action Plan will need to be updated to reflect the change in physical area (now to include the Osney Mead Industrial Area) as well as a wide variety of changes to the assumptions underpinning the current West End Area Plan.

### **1.3 VISION 2050**

12. We were interested to note that the city council has prepared a draft set of visions of the city in 2050. It is understood that it is intended that this Vision 2050 will become a public document with civic groups contributing to its refinement and implementation. This is an excellent idea and it is hoped that progress can be made with it before the next Local Plan 2036 consultation in 2018: the Vision 2050 statement as it then stands can be used as one of several reference points for the assessment of the relevance of the Local Plan 2036 policies. The Oxford Civic Society would in any event wish to contribute to this.

## **2 DETAILED COMMENTS ON PREFERRED OPTIONS**

### **2.1 PREFERRED OPTIONS 01-08 – BUILDING ON OXFORD'S ECONOMIC STRENGTHS AND ENSURING PROSPERITY AND OPPORTUNITIES FOR ALL**

13. **Option 1 – protecting category 1 employment sites** - we prefer Alternative Option B because it recognises the importance of not closing off opportunities for housing development. The more flexible approach of Option B allowing mixed development is better prepared to deal with future economic and technological uncertainties. Our preference is a slight rewording of Option B as follows: "Allow residential and other uses to be introduced on Category 1 sites, so long as no harm is done to the existing businesses and sectors on the sites."

14. **Option 2 – protecting category 2 employment sites** - we strongly favour this Preferred Option. However, we point out that not all the potential Category 2 sites have been identified and some sites that are identified do not deserve to have Category 2 listing. The list of Category 2 sites should thus be rigorously examined as some are clearly suitable for other uses, especially

housing, as has already happened at, for example, the Travis Perkins site on the Cowley Road, part of Speedwell House and Wolvercote Paper Mill.

15. **Option 3 – making best use of category 3 employment sites** - we support this Preferred Option but suggest that small businesses involved in arts, crafts and creative industries which are often vulnerable should receive sympathetic consideration. It would also be appropriate to define what alternative uses are acceptable; affordable housing, including key worker housing, should be prioritised.

16. **Option 4 – controlling low density B8 uses** - we support this Preferred Option, but noting that one beneficial effect might be to reduce traffic and air pollution in the central area. It is questionable whether it is appropriate to allow development of new B8 uses relating to Category 2 employment sites, in view of their secondary importance and the potential loss of opportunity for more critical uses, e.g. affordable housing including key worker housing.

17. **Option 5A – teaching and research** - we support Option 5A but would combine it with 5B to allow for more flexibility in the future, when technological and social changes might reverse the past trend to concentrate hospital facilities on single large sites.

18. **Option 5C** - the wording of Option 5C, "Continue to locate core academic facilities in central Oxford" is unduly restrictive and does not reflect the actual geographical situation. It would be better replaced by "Continue to locate academic facilities in Oxford".

19. **Option 5D** - we support this Option.

20. **Options 6A+B – sites for small businesses and start-up spaces** - we support this combined Option.

21. **Option 7 – new academic floor space for private colleges / language schools** - we support this Preferred Option, subject to adding that the applicant should be required to demonstrate no harm to social and environmental factors and effects on transport infrastructure as well as positive benefits to the local economy. However we recognise that Option 7, however desirable, may be found to be unreasonable on grounds of discrimination by the Inspector at the Public Inquiry. It may be that skilful drafting can overcome this.

22. **Options 8A+B – opportunities for local employment, training and businesses** - we support this combined Option.

## **2.2 PREFERRED OPTIONS 09-28 – CREATING A PLEASANT PLACE TO LIVE, DELIVERING HOUSING WITH A MIXED AND BALANCED COMMUNITY**

23. **Option 9 – overall housing target for the plan period** - we support the Preferred Option, with reservations as follows:

- Whilst it is necessary to establish the likely capacity of the city to accommodate housing development, and targets for such development, these should not be regarded as upper limits, in view of the gross excess of need over supply.
- Testing of Oxford's capacity should include an exploration of appropriate densities in relation to location and form. We would suggest a baseline of 50 dwellings per hectare (dph) for low/medium-rise family housing, increasing in increments to 150 dph for smaller households and up to five stories of dwellings, in more central urban locations<sup>1</sup>.

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<sup>1</sup> •The issue of density is considered more specifically in Option 30.

- Just what the capacity of Oxford is for future development is evidently open to conjecture. We note that the most recent Oxford City Council Housing and Employment Land Availability Assessment (HELAA) published in October 2016 suggests a capacity of around 7,500 dwellings, for the period 2016 – 2036, but previous assessments, including those carried out independently by other authorities have reached different conclusions. What is indisputable is that housing objectively assessed need (OAN) vastly outstrips supply.
- It is also clear from the 2016 HELAA and other sources that the demand for employment sites is also likely to outstrip supply, hence the need for establishment of priorities and a balance between competing needs. We strongly support the statement in para 1.20 “Addressing the housing issue is the number one priority of the Council”, which has implications for the allocation of space for employment and retail – commented on under Rejected Option C. We point to Table 90 of the Oxfordshire SHMA, which provides an indicator of the relative priorities as between the factors considered in establishing housing need. This indicates strongly that

provision of affordable housing is a much greater priority than providing more employment

**Table 90: Conclusions regarding Overall Housing Need**

Housing Needed per Year (2011-31)	A. Demographic Base + Shortfall	B. To Support Committed Economic Growth	C. To Meet Affordable Housing Need in Full	D. Range: Housing Need per Year	E. Midpoint of Range
Oxford	782	700	2058	1200-1600	1400

opportunities, and ‘appropriate consideration of other policy aims’ should reflect this.

- As expressed, the Preferred Option does not make clear whether ‘urban extensions’ refers to the Oxford city conurbation, or extensions of more remote towns. In either case, issues of travel and protection and enhancement of green environment (including the Green Belt, in the case of the city) require serious consideration. Also as worded, it may be inferred that preference should be given to urban extensions, and that densification of existing conurbations is not encouraged. If this is intended policy, its merits are not explained and seem dubious; if unintended, clarification is required.
- We would not support the rejected option of meeting Oxford’s needs in full, on the grounds that it is likely to be undeliverable for a number of reasons; we would, however, also refute the argument that it would be likely to “result in a disproportionate number of 1 – 2 bed flats, and fewer family homes”. Housing density in Oxford needs to be increased, and prices, if possible reduced, and many welcome policies in the Preferred Options consultation paper tend in this direction. Policies that tend in the opposite direction – increasing prices and reducing density (thereby adding to commuter flows) - clearly require an exceptionally strong evidential justification, yet none is provided. On the contrary, the table and chart shown in our response to Option 16, indicating proportions of flats and larger accommodation units for cities across the country, suggest that Oxford is not under-supplied with larger family accommodation. Policies which may stand in the way of development at higher density are not justified.

**24. Option 10 – determining the priority types of affordable housing - we support these Options, with the following observations:**

- We stress that national definitions of ‘affordable’ are hardly applicable in Oxford, where housing so defined remains extremely difficult to access by much of the population. The recent Housing White Paper defined four categories of affordable housing:
  - Social rent (guideline target rents determined by government rent policy)
  - Affordable rent (no more than 80% of local market rent)
  - Starter homes (at 20% discount on market value, for max household incomes of £80,000) and other discounted market sales housing
  - Affordable private rent (at least 20% below local market rent)

- We believe that it is important to prioritise social rented accommodation. However, if providing 80% of affordable housing as social rent makes the site unviable we consider that it may be preferable to retain the minimum requirement for at least 50% affordable housing by reducing the proportion of housing for social rent (to no less than, say, 40 %) in favour of intermediate housing secured in the long term at a price related to local incomes.
- We are concerned that the Housing White Paper suggests that private rented properties at least 20% below market rents be included in the definition of affordable housing as it will be very difficult to monitor and manage this in the long term. This, plus the fact that Oxford already has a relatively high proportion of private rented properties, suggests that such housing should not be included in the local definition of affordable housing (a possible exception could be for housing provided by employers for their staff on their sites).
- Intermediate housing should be retained in perpetuity through a housing trust or similar mechanism. We also consider that, despite the White Paper, the City Council should include shared ownership in its definition of affordable homes to widen housing choice; these properties could be managed by the council, a housing association, or preferably a housing trust where there is no right to buy or acquire.
- We also consider that a policy or policies encouraging the delivery of housing affordable in perpetuity by alternative approaches, e.g. through Community Land Trusts (CLT), should be adopted. This could take the form of an 'exceptions' policy, similar to that in East Cambridgeshire (policy GROWTH 6) with the additional requirement that an element of open market housing maybe allowed for co-housing schemes, self or custom built homes, or other initiatives where occupation is restricted to local people in perpetuity. This could be managed through the council, a housing trust or housing company. The Council should also include a requirement that on publicly owned land or where land or buildings are being taken out of community use then priority should be given to community led housing schemes where 50% affordable housing for local people in perpetuity is provided.
- We agree that a rent of 80% of local market rent is not affordable to many people in Oxford and therefore a lower % is justified.

25. **Option 11 – determining the approach to setting the level of affordable housing requirement** - we support this Option, including the 50% affordable housing, with the following observations:

- It is unclear whether 'viability testing' mentioned here and elsewhere refers to the process by which developers plead for reductions in the level of social housing on grounds of (non)-viability, or whether it refers to the City Planners carrying out more evidence-based studies on the achievability of the proposed policies. If the former, see our comments at bullet point 5 below.
- Setting a fixed proportion of 'affordable' homes is a very crude measure, which may be inappropriate to circumstances such as the nature of the developer (e.g. a Community Land Trust, or an organisation providing key-worker housing for its employees), the nature of the development etc. Its merit is that it sets a base line for negotiation, but clearly some flexibility, not just imposed by the over-riding constraint of viability, may be necessary. It is unclear how the suggested proportion of 50% affordable housing has been established: whether on the basis of desirable socio-economic diversity of the population, or simply as a figure which it may be practicable to adopt with commercial developments. Since the overwhelming demand is for affordable housing, as high a proportion of affordable housing as is achievable should be the aim, unless there are other factors justifying adjustment.
- There is evidence that many homes built as 'affordable' social housing become privately rented at market rents through Government policy such as the 'right to buy', which planning policy has been unable to influence. Unless this issue is addressed through other mechanisms, this element of planning policy, and its objectives (the supply of affordable accommodation) is undermined.

- The assertion that there is no evidence that current policy has negatively affected the delivery of homes is perhaps questionable; we would cite the development of 333 Banbury Road, Oxford, where a housing project was abandoned in favour of development of private institutional education facilities, owing to disagreement on a financial contribution towards social housing provision. Evidence such as this demonstrates the need for robust policies on land use which preclude the pursuit of an alternative permitted use simply in order to maximise profit.
- The issue of viability is critical to policy on this issue; few proposed developments comply with current policy, since viability arguments frequently prevail, and lower proportions of affordable housing are delivered. The process of assessment of viability is shrouded in obscurity, usually on the grounds of commercial sensitivity. It is incomprehensible why site value is not simply determined by residual valuation, i.e. after consideration of all development constraints, including obligations relating to 'affordable' housing provision. It should not fall to the Council and the taxpayer to shoulder the developer's commercial risks over the price paid for the site. Until such an approach is established, the actual proportion of 'affordable' homes becomes a matter of negotiation in every case, regardless of Local Plan policy. It is wholly unreasonable that objectives established for the good of the community should be frustrated by over-payment for sites by developers who then plead non-viability in circumventing policy. Developers should know what is expected and should adjust the price paid for land accordingly. In view of this we suggest that the sentiments in the 3rd and 4th paragraphs of current policy CS24 should not be carried forward into the updated plan. They are too much of an open invitation to reduce the amount of affordable housing or provide off-site payments.
- We suggest that the City Council should have an 'overage' policy so that where it accepts less than the policy requirements, either in terms of the % of affordable housing or the tenure split, on the grounds of non-viability, and the outturn profit is greater than was anticipated in the developer's viability assessment, the difference should be paid to the council for investment in affordable housing elsewhere in the city. This could be secured through a planning obligation/legal agreement.
- We do not support Alternative Option B, given that the evidence shown in the Table and Chart shown below (see Option 16) belies the assumption (for which no counter-evidence is given) that "the size in greatest need in Oxford is 2+ bedrooms or 3 - 4+ bedspaces", or that "1 or 2 bed units may not meet need."

26. **Option 12 – meeting intermediate housing or employment sector specific needs based on local affordability approaches** - we are generally supportive of options A and C, but consider that they appear to involve some difficult and sensitive drafting of policy, including on issues such as identification of relevant sites and/or eligible institutions, emergence of currently-unanticipated opportunities, changes in Government policies etc. In particular, it is difficult to understand the feasibility of implementation of Option C, of which we would be strongly supportive, although learning from experiences elsewhere would be sensible.

- We cannot support option B as it would prioritise intermediate homes for rent in the private sector (for the reasons given in option 10). Intermediate affordable rented homes should be managed by a housing association or trust, unless it is provided by local employers for their staff.
- We consider there is merit in widening the choices for people unable to buy or rent a home they need. The door should not be closed to those aspiring to own their own home but who cannot quite achieve this. Shared ownership held by an RSL or housing trust should not be ruled out, especially where there is no right to staircase to the full amount. Similarly starter homes could be pegged at a maximum of 80% of open market value in perpetuity (or preferably a lower % if a local definition of affordability is agreed) with subsequent sales to be agreed by the City Council, RSL or housing trust. If capable of implementation, this could also include a requirement for sale only to individual purchasers with a local connection to Oxford.

To widen housing choice the council should also encourage alternative models such as cohousing for those with a local connection.

- We reiterate our comments given in option 10, namely that a policy supporting community led housing, managed by a housing trust on a not for profit basis should be included in the local plan. This would enable intermediate affordable housing to be retained in perpetuity and market price homes (such as co-housing) to be retained in perpetuity for local people. Priority should be given to such schemes on land previously in community use, in public ownership or sites where housing would not normally be permitted

27. **Option 13 – providing affordable housing from larger sites** - we are supportive of the Preferred Option, though measures should be taken to prevent avoidance by fragmentation of sites, or progressive or phased development.

28. **Option 14 – affordable housing financial contributions from small sites** - we support the Preferred Option, though we note the proviso that, as required by the NPPF, it would be “subject to viability testing ...”. We refer to our previous comments (on Option 11) that this condition undermines the likely effectiveness of such a policy. Unless an approach to viability testing more recognising of planning policies and the basis for their adoption is promoted, it is impossible to judge the efficacy of policies subject to such tests.

29. **Option 15 – contributions towards affordable housing from other development** - in general we support the combination of the Options, however, it seems possible that Option A might run counter to policies relating to housing developments by and for Oxford University and Oxford Brookes University, which may necessitate special consideration.

30. **Option 16 – mix of dwelling sizes to maintain and deliver balanced communities** - we cannot support the Preferred Option for the following reasons:

- We are concerned that this policy option potentially militates against higher density of development, and also affordability, and is not substantiated by the provision of any evidence. Likewise, no evidence is provided for the assertion that “a strong supply of smaller units was leading to a mismatch with the housing needs of the City population”. Conversely, data from the 2011 Census (see Table 1 and Chart A below) provide evidence of a different scenario - that Oxford is more generously supplied with larger units than most comparable urban areas. The rankings, in terms of average number of bedrooms per dwelling, are shown in Table 1, with the city with the smallest average dwelling size (Brighton and Hove with 2.3 bedrooms per dwelling) at the top and the city with the largest (Milton Keynes with 2.8) at the bottom. It can be seen that Oxford, with 2.7, is positioned well

**Table 1**

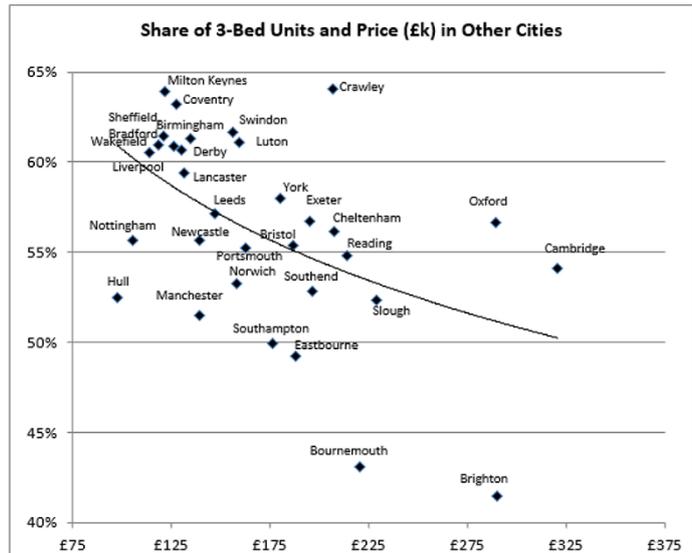
City	Price (£k)	Share of flats	Share of 3+ beds	Ave Beds
Brighton and Hove	£290	47%	41%	2.33
Bournemouth	£220	45%	43%	2.42
Southampton	£177	39%	50%	2.45
Slough	£229	33%	52%	2.49
Eastbourne	£188	36%	49%	2.49
Manchester	£139	33%	51%	2.49
Hull	£98	16%	52%	2.52
Norwich	£158	33%	53%	2.52
Southend	£196	33%	53%	2.55
Nottingham	£106	24%	56%	2.56
Portsmouth	£163	34%	55%	2.56
Bristol	£187	33%	55%	2.58
Reading	£214	30%	55%	2.60
Cambridge	£321	31%	54%	2.61
Luton	£160	21%	61%	2.63
Liverpool	£114	23%	61%	2.64
Exeter	£195	26%	57%	2.64
Newcastle	£139	31%	56%	2.65
Birmingham	£135	24%	61%	2.66
Leeds	£147	21%	57%	2.67
Oxford	£289	31%	57%	2.67
Sheffield	£126	21%	61%	2.68
Crawley	£207	23%	64%	2.69
Derby	£130	14%	61%	2.69
Coventry	£128	18%	63%	2.69
Wakefield	£121	11%	61%	2.70
Lancaster	£132	16%	59%	2.72
Swindon	£156	17%	62%	2.72
York	£180	17%	58%	2.73
Bradford	£119	15%	61%	2.74
Milton Keynes	£122	15%	64%	2.81

Source: 2011 Census Table QS402EW (for share of flats, Table QS411 EW (for number of bedrooms, Land Registry (for average prices by borough)

towards the bottom of the table, at 21 of 31.

- It is apparent from the chart that Oxford (and also Cambridge) is an outlier by virtue of the unusually large average size of its dwellings – not only in absolute terms, as Table 1 shows, but more especially when account is taken of its high prices. The rise in Oxford's property prices relative to those in the rest of the country, from about 130% of the England average in 1995 to over 160% in 2015, has been dramatic. Evidence from the London boroughs clearly shows that, where prices are higher, demand shifts towards a higher proportion of flats and a smaller proportion of dwellings with 3 or more bedrooms. The attempt to adjust to this new reality, and to compensate for the lack of smaller, less expensive dwellings, accounts for the predominance of planning applications for such dwellings in recent years (noted in para 3.46 of the Preferred Options document). We suggest a review of the evidence available to the city, including (if not already used, data from reputable house agents).
- A Balance of Dwellings policy attempts to stand in the way of this adjustment, but no proper justification is given as to why it is appropriate for Oxford, despite its high prices, to continue to have a housing stock with an unusually high proportion of larger dwellings. The justification needed for Preferred Option A is thus lacking. This is particularly striking as about 32% of the city's population is in the 18-29 year age range (with an average amongst 55 largest cities in England of 18%).
- The Alternative Option proposes that no mix be specified for market housing, but a mix be specified for affordable housing. We have not gathered evidence to compare the mix of affordable housing in Oxford with that in other urban areas and it may be that, if this is done, it will be found that Oxford has an unusually low proportion of larger affordable housing, or an unusually high proportion of larger families among those needing affordable housing. If this were found to be the case, it would justify the Alternative Option. However, as with the Preferred Option, it seems very undesirable to adopt policies that potentially restrict density and elevate prices unless and until evidence can be provided to justify such an approach. The Alternative Option should therefore be rejected until this is done.
- The rejected option, of not specifying a mix, is said to provide the greatest profit return to developers. It is certainly true that delivering profits for developers is not, and should not be, a policy consideration for the City Council. However, it is usually easier to make profits by delivering what is urgently wanted, as opposed to what is less urgently wanted. Profits may be reduced by preventing developers from doing this, but it is not necessarily in the public interest. No evidence is given for the assertion that the rejected option would "exacerbate the current mismatch between demand and supply" – or, indeed that there is any such mismatch. To the contrary, what the evidence suggests is that the current mixture of housing in Oxford, characterised by a relatively large average dwelling size, is inappropriate to the current high prices, and that a rebalancing towards a smaller and more typical average size is urgently needed. The Council should not seek to stand in the way of this rebalancing, and we therefore support neither the Preferred Option, nor the Alternative Option, unless convincing evidence is produced which properly justifies adoption.

**Chart A**



31. **Option 17 – thresholds for mix of dwelling sizes** - since we do not advocate a policy on 'balance of dwellings', owing to the absence of justifying evidence (and availability of contradictory evidence), we regard this Option as not relevant. If our arguments refuting the need for policies related to the balance of dwelling types are rejected, we would support this Option.

32. **Option 18 – change of use from existing homes / loss of dwellings** - we accept the Preferred Option, but suggest that the policy be worded negatively, e.g. "Developments involving the net loss of dwellings will only be permitted provided that....."

33. **Option 19 – houses in multiple occupation** - we support the Preferred Options, but suggest including criteria linked to the rate of provision of purpose-built HMOs, in addition to the criteria referred to in Option B. There would be merit in the City Council identifying sites where HMOs would be acceptable and, given the relatively high proportions of rented and student housing which can make it difficult to maintain cohesive communities, criteria could limit them to, for example, proximity to key employment sites (including the universities and hospitals), the city and district centres and along radial routes.

34. **Option 20 – linking the delivery of new university academic facilities to the delivery of university of university provided residential accommodation** - we support the Preferred Option, with the provisos that:

- Policy wording should make clear that this relates to Oxford University and Oxford Brookes University, since within the 20-year time span of this Local Plan, other universities or university colleges may be established in the city.
- The thresholds should be reduced over time as new purpose built accommodation is provided.

35. **Option 21 – new student accommodation** - we support the Preferred Options.

36. **Option 22 – affordable housing financial contributions from small sites** - we support the Preferred Option, but point out that the encouragement of more dense forms of housing design, for example apartments with lift access and fewer staircases could not only increase the provision of homes but also provide more suitable accommodation for older persons, better integrated into communities. Such encouragement should thus be provided by policies on housing design, not simply in relation to developments targeting older persons.

37. **Options 23 – 27** - we support the Preferred Options

38. **Option 28 – acceptable and adaptable homes** - we support the Preferred Option. However, we do have concerns that the concept of 'homes for life' should not be seen as encouragement for the continuing occupation of unsuitably large accommodation by older persons, as a consequence of the unavailability of more appropriate homes. The "efficient use of resources" noted is likely to be better served by ensuring an adequate supply of a variety of types of accommodation, rather than constraining all developments to be capable of meeting every need.

39. **Suggested New Policy:** we believe that a policy is required which details the manner of compliance by the City Council with the requirements of The Self-Build and Custom Housebuilding Regulations 2016 (S.I.2016/950 and the Self-Build and Custom Housebuilding (Time for Compliance and Fees) Regulations 2016 (S.I.2016/1027). These Regulations require the establishment and maintenance of a Register of those seeking to acquire serviced plots for the purpose of self-building homes, and to grant sufficient permissions to meet the local demand for self-building.

### **2.3 PREFERRED OPTIONS 29-48 – ENSURING A GOOD QUALITY ENVIRONMENT**

40. **Option 29 – making best use of previously developed land** - we support the preferred Option.

41. **Option 30 – density and efficient use of land** - this policy should recognise that land resources are one of Oxford's most precious commodities, and be aimed at maximising their potential by developing at appropriate densities.

- Attention should be drawn to built examples that demonstrate how high-quality homes and environments can be achieved at higher densities. The book "Housing for a Compact City" is recommended as showing the way.
- Testing of development capacity should include an exploration of appropriate densities in relation to location and form. This should start from a baseline of 50 dwellings per hectare for low/medium-rise family housing which is equivalent to 200 – 300 people per hectare. Densities would increase in increments to a maximum of 150 dwellings per hectare, with 300-500 people per hectare for smaller households occupying up to five stories of dwellings in more central urban locations.
- OCS is willing to facilitate workshops to enable key stakeholders, including councillors and officers, to develop a sophisticated approach to making best use of site capacity, drawing on existing examples and use of the "tissue" method. While much development in Oxford will be small in-fills in character, these should also achieve high densities wherever possible. The highest density developments should be close to public transport and local facilities and should therefore require little or no parking provision. With retail and to some extent office accommodation facing an uncertain future because of technological advance, policies should encourage mixed use development such as retail/residential or office/residential.

42. **Option 31 – green belt** - we support the Preferred Option. The need to consider Green Belt sites is justified under the provisions of the National Planning Policy Framework because of the exceptional situation facing Oxford in having huge housing pressures and a very tightly drawn city boundary.

43. **Option 32 – energy efficient design and construction** - we support this Preferred Option.

44. **Options 33A+B – carbon reduction in non-residential development** - we support these Options but recommend that the threshold should be much lower than the 1,000m<sup>2</sup> proposed for non-residential development.

45. **Options 34A+B – carbon reduction from residential development** - we support these Options, provided that the percentage reduction is suitably demanding.

46. **Options 35A+B – sustainable retrofitting of existing buildings** - we support these Options. A policy should be included which requires all developments in which any car parking is incorporated to provide electric re-charging points, since the Government has now stipulated that no vehicles powered by combustion engines will be permitted to be sold after 2040 – only just beyond the time-frame of this Local Plan. This should pre-empt proposals to introduce such a requirement into Building Regulations in 2019.

47. **Option 36 – water efficiency (residential)** - we support this Option but this policy should be extended to require new residential and other developments to employ rainwater harvesting and to consider grey water recycling, in order to conserve water resources.

48. **Opt 37A+B – community energy schemes, heat networks and CHP** - we support this Option.
49. **Opt 38A+B – flood risk zones** - we support this Option, noting that plenty of examples exist in Europe where “developments on stilts” are permitted in areas subject to flooding.
50. **Option 39 – flood risk assessment** - we support this Option but suggest that the proposed threshold should be lowered from 1 ha to 0.5 ha.
51. **Option 40 – sustainable drainage** - we support this Option but suggest that it should include a requirement for provision of an acceptable scheme of maintenance for SUDS in order to ensure that the design intent and long-term performance are ensured.
52. **Options 41A+B+C – surface and groundwater flow and groundwater recharge** - we support these Options. It may be difficult, but it is necessary, to define what constitutes ‘adverse impact’, and such impact should not just be to flow, i.e. quantity, but to quality, i.e. chemical, biological and bacteriological composition, and temperature.
53. **Option 42 – health impact assessment** - this option is too vague to assess. Options 43 to 48 inclusive already cover important health-related areas. We would not want to see a bureaucratic requirement introduced which could be burdensome and add very little value.
54. **Options 43 & 44A+C – air quality assessments and air quality management area** - we support measures to improve air quality but we are puzzled by the wording which appears to imply that parts of the city are not Air Quality Management Areas, whereas our understanding is that the whole of the city has been declared an AQMA.
55. **Option 45 – protection of future occupants against nuisances such as noise and light** - we welcome this policy, noting that enforcement can rely on common law and the experience of environmental health officers.
56. **Options 46-48** – we support these Preferred Options.

#### **2.4 PREFERRED OPTIONS 49-60 – PROTECTING AND ENHANCING OXFORD’S GREEN SETTING, OPEN SPACES AND WATERWAYS**

57. **Option 49 – managing the overall amount of public open space in Oxford** - we support this Preferred Option.
58. **Options 50A+B – creating a green infrastructure policy designation** - we support this combined Option and look forward to the creation of a Green Infrastructure Network designation.
59. **Options 51A+B – securing net gain in green infrastructure provision, particularly public access to open spaces** - we support this combined Option, noting that some private owners may prove resistant to such policies. We commend the recent example of the Brasenose College project on the Abingdon Road which both opens out views to the river by removing a high fence and provides a new footpath between the road and the river.
60. **Options 52A+B – ensuring that new developments improve the quality of green infrastructure** - we support this combined Option and suggest that it should include applications of less than 10 homes or 1,000m<sup>2</sup>.

61. **Options 53A+B – biodiversity sites, wildlife corridors, species protection independent ecological assessment** - we support this combined option with reservations. The city has stunning biodiversity partly because of its special geology (limestone/sands/clays), variable topography and land forms and numerous river corridors and floodplains. Because of the extent and complexity of the City's biodiversity, it cannot be assumed that the biodiversity of sites in the city is already fully recorded and well known. In fact, this is very far from the truth. The focus of planning policy should be on all biodiversity, not just the legally protected species like great crested newts, bats and reptiles. As regards Option B, 'mitigation and compensation' for damage to a wildlife site can be very inadequate in our experience and the 'overall net gain' being demonstrated is difficult to prove. Option B should be strengthened to signal that the emphasis on "avoid, mitigate, compensate" should be very much on "avoid".

62. **Option 54 – playing pitches** - we support this Option but would stipulate that any loss of pitches should be earmarked for housing. It can often be sensible to replace several grass pitches with one or more multi use games areas which are available 24/7 independently of the weather.

63. **Option 55 – allotments** - we support this Option, noting that the trend to very small or no gardens associated with residential development increases the need for allotments.

64. **Options 56A+B – protecting and promoting water courses – making more of blue infrastructure** - while we support this Option, we suggest that it needs strengthening to actively encourage the development of watersides for recreation and relaxation, perhaps in the following terms: "Opportunities for enhancing non-motorised public access for recreation, and for the creation of diverse habitats for wildlife should be exploited in the planning of blue infrastructure projects". Other cities have been very much more ambitious and successful than Oxford in this respect.

- The Western Flood Relief Channel should be required to make a significant contribution to the opportunities for public recreation. The Jubilee River, also known as the Maidenhead Relief Channel is a fine example. It has a good wide path along its entire length suitable for and accessible to pedestrians, cyclists, wheelchair users etc. They have also varied the banks and planting to create valuable new wildlife habitats, and even provided viewing platforms and hides here and there for bird watchers, vole spotters and the like. Oxford's version should be similar. The Western Flood Relief Channel should only be approved if it also makes a significant contribution to the opportunities for public recreation.

65. **Option 57 – species enhancement in new developments** - we support this Preferred Option.

66. **Options 58A+B – trees affected by new development** - we support this Option and commend use of the canopy cover measure (acknowledging that for deciduous trees, the canopy cover does not effectively exist for part of the year).

67. **Options 59A+B – green / brown roofs and walls** - we support this combined Option but would suggest that photovoltaic cells should have priority over green/brown roofs.

68. **Options 60A+B+C – enhanced walking and cycling connections** - we support this combined Option but it is very important to add requirements for cycle parking and for the restraint of the new dockless bikes for hire which can be abandoned anywhere.

## **2.5 PREFERRED OPTIONS 61-78 – ENHANCING OXFORD'S HERITAGE AND CREATING QUALITY NEW DEVELOPMENT**

69. **Option 61 – creating successful places** - we support this Preferred Option.

70. **Options 62A+B – responding to Oxford’s character and site context** - while we support this, we are concerned about the danger of over-prescription and the potential suppression of imaginative and innovatory solutions
71. **Options 63A+B+C – creating an integrated high quality public realm and setting of buildings** - we agree and recommend that the policy should make specific reference to: “Manual for Streets 2.” There should also be guidance on active travel modes. The policy on Public Art should include an alternative to beautify the immediate area, for example by repairing damaged cobbling.
72. **Option 64 – secure by design** - we support this Preferred Option.
73. **Option 65 – high quality design of new buildings** - there should be a design code or codes similar to those adopted by other cities and developers should be required to conform to the design code.
74. **Option 66 – building heights** - the wording of Opt 66 is too vague to enable consultees to form a view on the proposal. A more sophisticated policy on tall buildings will be important in making better use of scarce land. The existing policy has encouraged developers to build up to or slightly over the maximum height, resulting in uniform flat roofscapes. Tall buildings need not be limited to district centres and arterial roads, provided they are sensitively located.
75. **Option 67 – altering existing buildings** - we support this Preferred Option.
76. **Option 68 – shopfronts and signage** - we support this Option but would suggest that the approach be strengthened for critical locations such as those mentioned. A Design Guide for shopfronts in critical locations should be provided, including High Street, St Aldates, Queen Street, Broad Street and Cornmarket Street, and a policy included that requires compliance with this Guide for all developments in the designated streets. The example of Windsor, which has successfully forced national brands to tone down their usual approach to shopfronts in the interests of creating a much more sympathetic streetscape, should be followed.
77. **Option 69 – stores for bikes, waste and recycling** - we support this Option. It will be a huge step forward but it should also apply to non-residential buildings. In the city centre it is often the latter which fail to provide bin storage, with wheelie bins cluttering the public domain. The requirements set out in the policy should require secure and attractive designs.
78. **Option 70 – high buildings, view cones and high building area** - this Option is confusing. It starts by seeming to retain the present View Cones policy and defined high buildings area, while proposing in the accompanying text a new “Visual Impact Assessment”, allowing for full consideration to be given to how new development will impact on the skyline. We strongly support the Visual Impact Assessment proposal. We do not support the View Cones approach which has outlived its usefulness. It is inflexible and ignores important views outside the Cones. For example, the controversial Roger Dudman Way development was located just outside the range of the relevant View Cone.
79. **Option 71 – listed buildings and their setting** - we support this option provided that the new policy is at least as strong, and preferably stronger than Policy HE3 (Listed buildings and their settings) in the Oxford Local Plan 2001-2016, and is effectively enforced.
80. **Option 72 – assets of local heritage value** - we support this Preferred Option. However, such a policy would mean little unless more serious consideration is given to the registration of

nominated Heritage Assets; the recent performance of the City Council has not been encouraging, with wholly inadequate resources made available for the process. We recommend that an Article 4 Direction is used to prevent the demolition without planning permission of heritage assets of local importance.

81. **Option 73 – conservation areas** - we support this Option. However, previous policies have not prevented the granting of consent to many small-scale proposals which collectively have had a significantly detrimental effect on the character of CAs. The new policy should close this loophole.

82. **Options 74 to 78** - we support these Preferred Options.

## **2.6 PREFERRED OPTIONS 79-90 - ENSURING EFFICIENT MOVEMENT AROUND THE CITY**

83. Unfortunately the convincing logic of the Transport Background Paper is not transferred to the presentation of the preferred options 79-90 themselves which do not seem to be comprehensive omitting (as examples) policies on the future of the park and ride sites, no acknowledgement of the land use corollaries of the prioritised PT routes in LTP4, nothing on the management of space in the city centre and how long term capacity requirements for access are to be accommodated given the Council's objections to the LTP's proposed tunnels. We also note with great interest the City's collaboration with the County on the studies referred to in the Background Paper (i) a study of the management of traffic within the city (critical to enabling greater priority to be given to non-car modes); and (ii) a study on a 'city centre movement and public realm strategy. We suggest that options 79-90 may need to be revisited on completion of these studies.

84. **Option 79 Transport Assessments and Travel Plans** - we support a combination of Preferred Options A) and B). However, these need to be related to the wider transport strategy, and there need to be on-going assessments of their effectiveness. They should be produced early in the planning process to determine the required infrastructure.

85. **Option 80 supporting city-wide pedestrian and cycle movement** - we support Preferred Option A). Cycle routes need to be defined in detail, and conflict points with other sustainable travel methods identified and means designed to resolve them. Apart from new-build, opportunities should be taken during regular maintenance and rebuilding of existing roads to improve pedestrian and cycle routes and conflicts with other street furniture such as bus stops. Provision of high quality and secure cycle parking is important if the objectives of this Option are to be achieved.

86. **Option 81 Supporting walking, cycling and public transport access to new developments** - we support Preferred Option A). We wish to draw attention to a recent (2017) paper by Stagecoach "Bus Services & New Residential Developments – General Highways and Urban Design advice to applicants and Highways Authorities", and suggest that it should be included in any Streets Design Manual. This Option should also consider safeguarding planned Rapid Transit routes.

87. **Option 82 Tourist Coaches** - we support Preferred Option A). A distinction should be made between coaches carrying day (or less) tourists, and those carrying tourists (and their luggage) to their hotels. The latter are more likely to benefit the city economically. As regards the former, the requirements for tourists to use existing public transport from drop-off/pick-up facilities effectively requires the groups to form before they reach the centre. It could also result in smaller groups in the city, reducing congestion on pavements. Alternatively, a limited number of permits could be issued to reduce the number of coaches in the city centre, but this would require bureaucracy and monitoring.

88. **Option 83 Scheduled coaches (Long distance)** - we support Preferred Option B). Long distance coaches are likely in the near future to be diesel powered (to provide the range needed

between refueling) and therefore unacceptable in a Zero Emissions Zone in the centre of the city. This Option needs to be complemented by suitable hubs away from the city centre and the provision of a Zero Emission Rapid Transit system to transport passengers to their destination. Although this would require transfer, this is already needed for those who do not live close to an existing long distance coach route.

89. **Option 84 Safeguarding Cowley branch line** - we are sympathetic to Preferred Option A), but believe that the corridor associated with parts of the Cowley branch line would be much more efficiently used by a light rail (tram) line, allowing a higher frequency than practicable for a heavy rail line, more stops, and extension to on-road running where needed and possible to serve a much wider number of people, and connect to a wider range of destinations such as the hospitals. We note that no cost/benefit estimate for either has yet been prepared, but light rail is cheaper due to no need to build to heavy rail standards. This Option should not be limited to the Cowley branch line, but include other routes for the proposed Rapid Transit.

90. **Option 85 Car parking standards – residential** - we support Preferred Option A), and we would support Options B) and C) as well. However, we would disagree that the majority of the city has an excellent existing level of public transport provision, frequencies often being low, and journey times long, features which we hope will be corrected in areas served by the proposed Rapid Transit. An assessment needs to be made of the extra power requirements for electric car charging points in Option B). A distinction needs to be made between on- and off-road parking, and the implications of conversion of homes into HMO's on parking provision.

91. **Option 86 Car parking standards – non-residential** - we support Preferred Option A), with the proviso that major new developments should be located close to good public transport services, to reduce substantially the need for car parking. We would agree with the statement in Preferred Option C) "in a city such as Oxford that suffers from traffic congestion, relaxing parking standards is not appropriate".

92. **Option 87 Controlled Parking Zones (CPZ)** - we support Preferred Option A). However, CPZ's should not be set up on high quality cycle access routes, which should be free of all parking. Care needs to be taken to avoid the displacement of e.g. commuter parking from CPZ's to nearby residential roads with no CPZ's.

93. **Option 88 Cycle Parking standards – residential** - we support Preferred Option A) and Preferred Option B) if at all possible. Consideration should be given to provision of charging points for electric bicycles.

94. **Option 89 Cycle-parking standards - non-residential** - we support Preferred Options A) and B). Plentiful provision of cycle parking is needed under Preferred Option A to counteract the tendency of cyclists to use any convenient space and street furniture to park and secure their machines. Consideration needs to be given to whether special provision should be made for hired cycles, to encourage their use by e.g. tourists.

95. **Option 90 Off-street public car parking** - we support Preferred Option A). Land used for car parking should be valued the same as residential or commercial land, and charged for accordingly. Consideration should be given to building above car parks to provide more housing etc., or providing the required number of spaces in a multi-storey park, to release land for other uses. Policies for provision of car parking on industrial estates are also needed.

## **2.7 PREFERRED OPTIONS 91-107 - ENSURING OXFORD IS A VIBRANT AND ENJOYABLE CITY TO LIVE IN**

96. In general we felt that this collection of preferred options is a miscellany and various Preferred Options belonged in other sections.

97. **Option 91 – hierarchy of centres for town centre uses** - we support the Preferred Option.
98. **Option 92 – widening the role of district centres** - we support the Preferred Option but policy should provide for centres such as Botley which are just outside the city boundary to be taken into consideration.
99. **Option 93 – the sequential approach and sequential test location of town centre uses** - we support the Preferred Option, subject to learning more about the criteria to be applied.
100. **Option 94 – threshold for requiring an impact assessment for applications for town centre uses that are not located in existing centres** - we support the Preferred Option.
101. **Option 95 – primary and secondary shopping frontages of the city centre** - we support the Preferred Option but note that the detail is likely to need revision as the future changes are brought about by the Westgate Centre, internet shopping and other factors.
102. **Option 96 – primary and secondary shopping frontages of district and local centres** - we do not support this Preferred Option. We are concerned about the lack of protection for small independent retailers and the ubiquity of national chains. For this reason we propose that smaller units should be protected by setting a specific minimum percentage for units of less than 2,000m<sup>2</sup>. We also advocate more mixed residential/retail development, which as European experience shows, can increase the vibrancy of such locations.
103. **Option 97 – evening economy: cultural and social activities** - we would delete “protects existing venues, and”, so that the Preferred Option reads: “*Include a criteria based policy which provides a more detailed policy approach to determining new proposals (e.g. locational, clustering and neighbourliness issues).*” We do not think that uneconomic venues necessarily deserve blanket protection. We also believe that the present wording is too vague. Without clear definitions of “evening economy” and the “cultural and social activities” to be covered by this Option, we must reserve judgment on the proposal.
104. **Option 98 – tourist / visitor attractions** - we support this Preferred Option and have commented elsewhere on the transport and traffic issues generated by the high volume of tourism generated by Oxford.
105. **Options 99A+B – short-stay accommodation (hotels and guest houses)** - we support this Preferred Option but doubt that any increase in short stay accommodation will have any significant effect on the huge volume of very short stay day tourists. The City should be more proactive in promoting with Government the need for legislation to empower it to control the internet-driven short term lets of domestic properties to which paragraph 8.31 refers.
106. **Option 100 – infrastructure and developer contributions** - we support this Preferred Option. It is very important for land value uplift capture.
107. **Option 101 – delivering high quality ubiquitous digital infrastructure** - we support this Preferred Option.
108. **Option 102 – waste water and sewerage infrastructure** - we do not support this Preferred Option. We would prefer the city to have explicit policies covering waste water, sewerage and water recycling.

109. **Options 103A+B – access to education (state and primary schools)** - we support these Preferred Options.

110. **Options 104A+B – primary healthcare services** - we would strengthen 104A by replacing “generally permissive of” with “supports”.

111. **Options 105A+C – community facilities** - we support these Preferred Options.

112. **Option 106 – pubs** - we support this Preferred Option but note that companies owning pub chains can manipulate rents and other factors to affect the viability of a pub. The policy should include a presumption that pubs that are no longer viable and have no realistic community role should be reserved for housing.

113. **Option 107 – area action plans** - we do not support this Preferred Option. While major revisions may well not be necessary, AAPs designed under the old planning policies will need to be updated in the light of evolving circumstances (e.g. in the case of the WEAAP, the potential development of Osney Mead) and to conform to the new Local Plan 2036 policies, for example in relation to housing density.

***Oxford Civic Society, August 25<sup>th</sup> 2017***