

# OXFORD CIVIC SOCIETY



SHAPING OXFORD'S FUTURE

**OXFORD LOCAL PLAN 2036 -  
RESPONSE TO PROPOSED SUBMISSION  
DRAFT, DECEMBER 2018**

## **ABSTRACT**

*Oxford Civic Society welcomes the opportunity to provide comments on the Proposed Submission Draft of the Oxford Local Plan 2036. We have reviewed each section of the Draft using the resources of our Planning, Transport, Housing and Oxfordshire Futures Working Groups. Whilst we accept that most of the well-prepared Local Plan is sound we are concerned that in some respects the draft Oxford Local Plan 2036 is vulnerable to being assessed as not being prepared positively and not being consistent with achieving sustainable development.*

**Oxford Civic Society – December 2018**

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## **1 INTRODUCTION**

1. Oxford Civic Society welcomes the opportunity to provide comments on the Proposed Submission Draft of the Oxford Local Plan 2036. We have reviewed each section of the Draft using the resources of our Planning, Transport, Housing and Oxfordshire Futures Working Groups and our comments are made in the spirit of constructive collaboration.

2. We understand the special nature of this consultation. We have focused our review and comments on assessing if the proposed submission has been: (i) positively prepared i.e. providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development; (ii) justified i.e. it is an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence; (iii) effective i.e. the Plan should be deliverable over its period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and (iv) consistent with national policy i.e. enabling the delivery of sustainable development in accordance with the policies of the NPPF.

3. Our comments specific to the Proposed Submission Draft are found in Section 2 of this consultation response; but first we present our concerns about the treatment of the strategic development planning context of the Oxford Local Plan 2036.

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

4. There is no disputing that the various functions of the city extend well beyond the city boundaries. Although it is understood that the Oxford Local Plan 2036 can only include policies for areas within the city boundary, if these policies are to be sound it is necessary for the Local Plan 2036 to ensure that development planning and management in the city-region is effective, efficient and sustainable. Although we know that a great deal of joint development planning work is being done through the duty-to-cooperate by city, districts and county we doubt if this cooperative working in the form of the Oxfordshire 2050 Plan is far enough advanced for a completely sound Oxford Local Plan 2036. We also doubt if development planning cooperation with central government is effective.

5. In our earlier submission (on the preferred options) we argued for an assessment 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. We are therefore pleased that the Oxfordshire 2050 Plan is now being prepared<sup>1</sup>. This should enable the understanding of the strategic links between the city and the city-region of Oxfordshire and beyond to be deepened and integrated and sustainable cross-boundary development plans to be prepared, especially transport plans – we particularly have in mind the extended use of rail in Central Oxfordshire<sup>2</sup> (but not exclusively).

6. The first possibility of the Oxford Local Plan being considered to be unsound is the poor synchronisation of the preparation of the Oxfordshire 2050 Plan and the Oxford Local Plan 2036. The Growth Deal requires that the Oxfordshire district and city councils submit their local plans no

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<sup>1</sup> The Oxfordshire 2050 Plan will provide the strategic planning framework for Oxfordshire and will be submitted for examination by March 2020. The Oxfordshire 2050 Plan will deal with the key strategic planning matters for Oxfordshire; it will deal with the key elements relating to housing and economic growth needs and the infrastructure to support it.

<sup>2</sup> Enhanced use of rail (including but not restricted to the Cowley line), is the kind of sustainable transport initiative that only becomes possible with a strategic plan (cross administrative boundary plan) like the Oxfordshire 2050 Plan.

later than 1 April 2019 with adoption in the autumn of 2019. The Oxfordshire 2050 Plan will be submitted by March 2020 with adoption by March 2021 (estimated, subject to the examination process). This means that the strategic development plan of the context for the Oxford Local Plan 2036 will be available only after the expected adoption of the Local Plan (autumn 2019).

7. The further possibility of unsoundness concerns the Oxford – Milton Keynes – Cambridge corridor. The proposal for this corridor which was first made by the National Infrastructure Commission, identifies the need for an additional 1 million new homes along the corridor to be provided in the period to 2050.

8. The housing which is being planned through the Oxford Local Plan 2036 contributes to meeting the target for the corridor but we are not convinced that the draft Oxford Local Plan 2036 can adequately consider the impact of the proposed corridor, including the proposed expressway. It is of course difficult for the draft Oxford Local Plan 2036 to consider the impact of the expressway rationally: the expressway itself has not been justified adequately, it does not yet have an assigned route or details of its precise function.

9. Although the Growth Deal requires that the Oxfordshire district and city councils submit their Local Plans no later than 1 April 2019, public consultation on the expressway route options is not due to take place until autumn 2019, with a preferred route being announced in 2020. This lack of demonstrably adequate joint working suggests that the planning process for the national corridor project is not aligned to the planning processes of the local authorities in Oxfordshire and this could render the Oxford Local Plan 2036 unsound.

10. This evident lack of synchronisation is especially important as we understand that Planning Inspectors have not accepted two neighbouring Local Plans (Aylesbury Vale and Vale of White Horse district councils) at least partially on the basis that they do not take account of the Oxford / Cambridge corridor and expressway in their housing forecasts.

11. We are pleased that officers and local authority leaders in Oxfordshire have raised these synchronisation concerns with government departments and Highways England (HE) and that discussions about aligning timetables and deadlines are ongoing. However, we doubt the strength of the argument presented in the draft Oxford Local Plan 2036 that if the Local Plan submission deadline of 1 April 2019 is recognised as a first draft stage, and open to review beyond this deadline, then there is less concern about needing to take account of the Oxfordshire 2050 Plan and the corridor / expressway in the plans before further material details are announced.

12. Options for public consultation on routes of the expressway are scheduled to be available in autumn 2019 with a preferred route announcement in 2020. To integrate the implications of the expressway on the Oxfordshire 2050 Plan and the Oxford Local Plan, reviews of the proposed plans could be undertaken only from late 2019 and into 2020. Currently Oxford Local Plans 2036 hearing days are proposed for the summer 2019 and adoption is expected in autumn 2019. This suggests that assuming that the Oxford Local Plan 2036 that is submitted on or before April 2019 is a first draft stage is ingenuous.

13. The diagram shows the current arrangements for strategic planning in Oxfordshire. What is needed is a strong grip on the integrated sustainable development planning of this region. We suggest that the Oxfordshire Growth Board recommends to central government that, at the least, agreement is needed with neighbouring authorities for a process for reviewing the local plans of

	2018	2019	2020	2021
Oxford Local Plan 2036		submit	adopt	
Oxfordshire 2050 Plan			submit	adopt
Oxford-Cambridge Expressway		route options public consultation	preferred route decision	

the city and districts which is synchronised with reviews of the Oxfordshire 2050 Plan which, in turn, has had an opportunity to integrate any decision made on a preferred expressway route<sup>3</sup>. This process should also ensure that in future, reviews of the Oxfordshire 2050 Plan should precede and inform reviews of the district and city local plans. We suggest that the strategic planning inefficiencies weaken the proposed Oxford Local Plan 2036:

- It is arguable that the Plan is not positively prepared i.e. it does not provide a strategy which is informed by agreements with other authorities, in this case the joint planning agreement of Oxfordshire local authorities and in respect of the east west corridor, the national government;
- It is also arguable that it is not justified i.e. it has not taken into account reasonable alternatives based on the possible implications of the Oxfordshire 2050 Plan and the east-west corridor;
- It is also arguable that it will not be effective i.e. the Plan will not be deliverable over its period because the strategic planning recommendations of the Oxfordshire 2050 Plan and the east-west corridor will require significant changes within its period.

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

14. In our submission of the 2017 Oxford Local Plan consultation we very much welcomed the narrative that was provided in the Transport Background Paper. We agreed 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. We also very much welcomed the City's collaboration with the County on the studies referred to in the Background Paper:

- a) A study of the management of traffic within the city (critical to enabling greater priority to be given to non-car modes) and
- b) A study on a 'city centre movement and public realm strategy.'

15. We are very disappointed that these studies have not made a significant contribution to the preparation of the Oxford Local Plan. In the case of (a) the findings of the demand management studies have not materialised. In the case of (b) the study results proved to be contentious and in any event would only be implementable with complementary implementation of the demand management policies, which are not yet agreed.

16. Again it is possible to argue that the absence of the contribution of findings from these important studies weakens the proposed Local Plan:

- It is arguable that the Oxford Local Plan is not positively prepared as it has not met the area's objectively assessed (transport) needs and is not informed by agreements with other authorities (principally the County Council). This inhibits the capacity of the proposed Local Plan to achieve sustainable development;
- It is arguable that the proposed Oxford Local Plan is not justified i.e. it does not provide an adequate and appropriate transport strategy, taking into account reasonable alternatives;
- It is arguable that the Oxford Local Plan will not be effective i.e. the Plan will not be deliverable over its period and is not based on effective joint working on cross-boundary strategic matters (with the County Council) that have been dealt, with rather than deferred (demand management).

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<sup>3</sup> This is not meant to imply that the expressway is a justifiable investment.

17. 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 proposed Local Plan. In our 2017 consultation response 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 recommended that this strategy included the west end area development sites (including Osney Mead Industrial Estate, Oxpens, the 'Island site', Frideswide Square, the station redevelopment and the Westgate linked to the Castle site. Our hope was (and still is) that the integrated city centre strategy is based on a feasible transport strategy which will enable sustainable city centre development.

18. Regrettably, the treatment of the city centre also weakens the proposed Oxford Local Plan:

- It is arguable that in this respect the Oxford local Plan has not been positively prepared i.e. it does not provide a city centre strategy which, as a minimum, seeks to meet objectively assessed needs of the west end of the city centre and which is informed by agreements with other authorities. This is not consistent with achieving sustainable development;
- In respect of the west end of the city centre the proposed Oxford Local Plan is not justified i.e. it is not an appropriate strategy, taking into account the reasonable alternatives;
- In respect of the west end of the city centre the proposed Oxford Local Plan is not deliverable over its period.

## **2 DETAILED COMMENTS ON PROPOSED SUBMISSION DRAFT**

### **2.1 BUILDING ON OXFORD'S ECONOMIC STRENGTHS AND ENSURING PROSPERITY AND OPPORTUNITIES FOR ALL**

19. There is a very strong emphasis on employment development, particularly in research and technology, etc. There is no acknowledgement of the fact that there is effectively full employment in Oxford and that many of Oxford's existing jobs are filled by commuters, as will most of the new ones be. There is a great deal about reducing pollution and sustainable travel, but people filling all the new jobs are likely to have to travel from well outside the City, thus transferring Oxford's problems of congestion and pollution to areas outside the city as well as doing little to alleviate these problems within the City. The emphasis on more walking and cycling is welcome but they will have to be much more ambitious to have a really serious impact. This leaves the Oxford Local Plan 2036 vulnerable to being considered unsound as it is not positively prepared and consistent with achieving sustainable development.

### **2.2A PLEASANT PLACE TO LIVE, DELIVERING HOUSING WITH A MIXED AND BALANCED COMMUNITY**

20. General comments (not an assessment of soundness)

- It is not clear what the difference is between "affordable housing for rent" and "affordable rented housing".
- "Code for Sustainable Homes (CSH) - The standard is currently set to CSH Level 3, increasing to CSH Level 4 in 2013. The current goal is to achieve zero-carbon homes (CSH Level 6) in 2016." Since this document is being published in late 2018, this wording is clearly anachronistic.

**21. Comments on Policy H1:**

*The scale of new housing provision - provision will be made for at least 8620 new homes to be built in Oxford over the plan period 2016-2036. This equates to a delivery of 431 dwellings per annum. This will be achieved by:*

- a) making site allocations in this Plan (see Chapter 9 site allocations); and*
- b) promoting the efficient use and development of land/sites, including higher densities and building heights in appropriate locations (see Chapter 6 on Heritage and Design); and*
- c) ensuring that all new housing developments contribute to the creation and/or maintenance of mixed and balanced communities.*

*Housing will be delivered from the following sources:*

<i>Deliverable sites from the HELAA .....</i>	<i>7,600</i>
<i>Windfalls 60 pa x17 =</i>	<i>1,020</i>
<i>Total 2016-2036 .....</i>	<i>8,620</i>

- The text does not explain properly how the figure of 8,620 homes to be built by 2036 is arrived at since the HELAA refers to the capacity of the city to accommodate more homes as 7,511, including 1,020 homes from ‘windfalls’; the policy wording in this draft Submission Document adds a further 1,020 homes as ‘windfalls’; double-counting appears to have occurred.
- The policy justification is confused further by the references to the agreements at the Oxfordshire Growth Board where assumptions have been made of Oxford’s total requirement to 2031 as being 28,000, and its capacity as being 10,000 homes; even using these assumptions and without extrapolating need to 2036, this suggests a shortfall of 18,000 homes, to which the county District Councils will apparently contribute only 13,100 homes. This still leaves a shortfall of 4,900 to 2031, using the OGB assumed figures, and 7,389 using the HELAA city capacity figure. Extrapolated to 2036, the shortfall would appear to be at least 10,000 homes. The proposed policy is thus not only inexplicable, but would fail, with the policies of the Local Plans of the adjacent DCs, to achieve the levels of housing necessary to meet the objectively assessed need. This policy, taken in the context of the apparent commitments of the adjacent planning authorities, would thus appear unsound, or, at least, in need of correction and further clarification.

**22. Comments on Policy H2**

General comment (not an assessment of soundness)

Policy H2: Delivering affordable homes  
.....

b) For new student accommodation of 20 student units (or 4 self-contained student units), a financial contribution should be secured towards delivering affordable housing elsewhere in Oxford. ....

- Para. b) refers to “... accommodation of 20 student units ...”; this should read “... 20 or more ...”

**23. Comments on Policy H6**

Comments on Policy H6: Houses in Multiple Occupation (HMO)

- Given the high number of existing HMOs and the demand for them in the city, this policy is fully justified as it will help prevent high proportions of transient people in local areas eroding local communities, but its effectiveness will depend on the City Council register of HMOs being comprehensive and maintained up-to-date.
- Houses occupied by students should be counted as HMOs where these houses are owned and run by educational institutions. Currently this is not the case. The result is that the Universities can convert a large number of houses in a street for student residence without restriction. Some of the

problems with HMOs identified by the plan such as loss of local community result. No such change is proposed and the policy on HMOs seems to be unchanged.

- Both points suggest an assessment that this policy is not sound as it is not effective.
- Airbnb-type short lets - The Plan also proposes to do no more than "continue to monitor" the use of residential properties for short stay and holiday lets in spite of the stress on the need for more housing. We are not sure that the City has any powers to do anything else at present, but it does not say this or propose efforts to get more powers. This lack of policy on a pressing issue suggests that the plan is not positively prepared and consistent with achieving sustainable development.

#### 24. **Comments on Policy H7**

Comments on Policy H7: Community-led housing and self-build housing Community-led housing
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- This policy is consistent with the government's approach to tackling the housing crisis and will help to diversify the provision of new homes in the city. Supplementary guidance on how community-led housing is to be encouraged would be welcome – this would enhance effectiveness and sustainability.

### **2.3 MAKING WISE USE OF OUR RESOURCES AND SECURING A GOOD QUALITY ENVIRONMENT**

25. General point – not an assessment of soundness.

- OCS reconfirms that it 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.

### **2.4 ENSURING EFFICIENT MOVEMENT INTO AND AROUND THE CITY**

26. The Civic Society strongly supports the movement specific objectives listed in para 7.9 and in general the policies contained in M1-M5 as contributing to their delivery. Notwithstanding our comments on strategic planning of the city-region, we welcome the elaboration of policies relating to public transport in general and rapid transit/rail in particular as we believe these have a critical role (if coupled with demand management measures) in containing the volume of car traffic coming into the city.

#### 27. **Comments on Policy M1**

- Under ‘New and improved pedestrian and cycle routes’ it is said that development proposals are expected to facilitate and deliver routes shown on the ‘Proposals’ Map. (Is this in fact intended to refer to the Policies map?) The principle is supported but only cycle routes are shown on the Policies Map and these derive from LTP 4.
- Since publication of LTP4 somewhat different route recommendations have been made by Andrew Gilligan in his report for the National Infrastructure Commission whilst a Walking and Cycling Infrastructure Plan for the city is being prepared by the County Council during the first half of 2019 (in the context of the Government’s Walking and Cycling Investment Strategy). We welcome these more recent developments and suggest that the policy and/or accompanying text should be

amended accordingly. Perhaps the routes shown on the Policies Map should be labelled 'indicative' or 'provisional'?

**28. Comments on Policy M1 (ii) (Tourist Buses)**

- The Plan is noticeably weak on this. It acknowledges the problems caused by tourist buses and short stay tourists but other than encouraging hotels has no suggestions. It proposes that St Giles, and the southern end of St Aldates should remain "drop off and pick up" areas with Redbridge used for buses to park. It merely says there needs to be enforcement in St Giles. Apart from anything else this does not seem consistent with the heavy emphasis on reducing pollution etc.

**29. Comments on Policy M3**

- This contains wholly new policies concerning 'car-free' residential development and parking provision in non-residential development. These were not considered previously (even as options) and hence have not been subject to public consultation.
- The general arguments for lessening parking provision made in para 7.22 et seq are acknowledged but the policies now proposed take these to an extreme position. No supporting documentation has been published to demonstrate their practicability or to counter likely objections. Their soundness is therefore open to question.
- In connection with residential development there is a very large difference between encouraging or facilitating car-free development (e.g. combining it with car club membership as part of a Travel Plan) and requiring this as a condition of all such developments within Controlled Parking Zones.
  - What proportion of recent development in these zones has in fact been car-free?
  - Is there sufficient demand for this kind of development such that the policy will not act as a brake on the delivery of additional housing?
  - Could the policy be regarded as discriminatory since (as the Preferred Options report noted at para 7.19) previous consultation identified categories of people and journey for whom car use is the only practicable option?
  - Is it reasonable in effect to institute a ban on car ownership amongst occupants of new development when measures proposed in LTP4 to limit car use in the city amongst motorists generally have yet to be decided on?
  - (NPPF para 107 states that "maximum parking standards [car-free being the most extreme] should only be set where there is a clear and compelling justification that they are necessary for managing the road network").
- In connection with non-residential development it is not clear why the policy of 'no increase' in parking provision is now being proposed in place of the established policy of (low) standards. The implication seems to be that the resulting amount of parking will in effect be arbitrary - the product of historical accident and unrelated to the circumstances of the development. This is contrary to NPPF para 106 on the criteria to be applied in setting parking standards.

## **2.5 AREAS OF CHANGE AND SITE ALLOCATIONS**

### **30. Comments on Policy SP1: Sites in the West End**

*Planning permission will only be granted for new developments that follow the framework set out in the West End Design Code.*

*Planning permission will only be granted for redevelopment of the station and Becket Street Car Park if it improves the station for passengers and creates a strong sense of arrival to Oxford, and is in accordance with the Oxford Station SPD.*

*Planning permission will only be granted for development on Oxpens where it enhances Oxpens Field to create a high quality open space, includes new high quality and well-located public realm, creates an active frontage along Oxpens Road, enhances connectivity to Osney Mead and is in accordance with the Oxpens SPD.*

*Planning applications for the Island Site and Oxpens site must be accompanied by a site-specific flood risk assessment and development should incorporate any mitigation measures.*

and

### **31. Comments on Policy SP2: Osney Mead**

*Planning permission will be granted for a mixed use development that includes employment uses, academic uses, student accommodation, employer-linked housing and market housing. The development of an innovation quarter is encouraged. Planning permission will not be granted for any other uses.*

*The site would only be suitable for academic institutional uses provided that it can be demonstrated that there are no more than the threshold number of students of the relevant university living outside of university provided student accommodation (in accordance with Policy H9).*

*Planning permission will not be granted for development that prejudices the comprehensive development of the whole site. A masterplan approved by the City Council should be developed prior to any development, and all development should comply with the masterplan.*

*New high-quality public open space should be created on the site with a reduction in car parking spaces. Footpaths to and through the site should be provided and existing routes enhanced. A new bridge linking this site with the other side of the river should be created.*

*Development should be designed to enhance the relationship and connection between the site and the river and to enhance physical and visual permeability of the site. Development should be designed to have a positive impact on views, particularly the view from Hinksey Hill to the historic core.*

*A planning application must be accompanied by a site-specific flood risk assessment and development should incorporate any mitigation measures.*

- OCS has consistently recommended comprehensive planning of the West End area of the city centre, demonstrably linked to the existing city centre. In particular this means a comprehensive transport plan for the city centre and West End area. Policies SP1 and SP2 are disappointingly bland especially as the West End contains the key public transport facility of the rail station. This is not consistent with achieving sustainable development and it is arguable that the plan has not been positively prepared in respect of these policies.

**Oxford Civic Society, December 27<sup>th</sup> 2018**