



Oxford Local Plan 2040

Submission Draft November 2023

Representation made on behalf of **L&Q Estates and Brasenose College**



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1 Introduction

1.1.1 Stantec is instructed by L&Q Estates and Brasenose College to respond to the Oxford Local Plan 2040 Submission Draft consultation. This Representation is submitted in the context of Land at Northfield (STRAT12), which is allocated for development through the adopted South Oxfordshire Local Plan 2035 and is partly controlled by L&Q Estates and Brasenose College.

1.1.2 The site at Northfield is located on the edge of Oxford City's administrative boundary and will in part, assist the City in addressing its housing commitments of the Oxfordshire Growth Deal.

1.2 Summary of Representation

1.2.1 In summary, L&Q Estates and Brasenose College wish to comment on the following three policies.

Policy CBLLAOF: Cowley Branch Line and Littlemore Area of Focus

1.2.2 It is unclear whether Policy CBLLAOF applies in part or in full to the site allocations adjacent to the city which are in South Oxfordshire Local Plan 2035 (Strat 11 Land South of Grenoble Road and Strat 12 Northfield). Clarity is required in this regard.

1.2.3 Notwithstanding this, L&Q Estates and Brasenose College do not support the inclusion of an obligation towards the CBL within the Oxford City Local Plan, as is inferred within Policy CBLLAOF. This is because:

- It is beyond the remit of Oxford City Council to impose policy requirements upon sites within a neighbouring authority
- Likewise, it is beyond the remit of Oxford City Council to seek financial obligations from sites within a neighbouring authority
- Notwithstanding this, an obligation from Land at Northfield towards the CBL is not necessary to make the development acceptable in planning terms and therefore does not meet the tests for planning obligations.
- Oxford City Council has failed to consider the viability implications of requesting such obligations.

Policy SPS4: Mini Plant Oxford

1.2.4 Policy SPS4 should be amended to include a requirement for any development proposal within the site to demonstrate consideration of its impact upon the neighbouring South Oxfordshire strategic allocation Land at Northfield (Policy Strat 12). Policy SPS4 should be explicit that the consideration of impacts should include, but not be limited to noise/vibration, lighting, highways/transport and air quality.

Policy SPS7: Unipart

1.2.5 Similar to Policy SPS4 above, Policy SPS7 should be amended to be explicit that any consideration of impacts upon Land at Northfield should include, but not be limited to noise/vibration, lighting, highways/transport and air quality.

2 Development Sites, Areas of Focus and Infrastructure

2.1 Cowley Branch Line and Littlemore Area of Focus

2.1.1 Paragraphs 8.55 – 8.60 of the Local Plan describe an area of focus around Kassam Stadium and the proposed Cowley Branch Line ('CBL'). The Plan suggests that key objectives for this area include improving and enhancing connectivity to this part of the city by modes other than by private car. This includes the potential for the re-instatement of passenger trains along the CBL within the Plan period.

2.1.2 Paragraph 8.59 of the Plan states that the area will experience "*considerable transformation*" over the plan period as developments on the edge of the city in adjoining South Oxfordshire are built, particularly the Land South of Grenoble Road (Policy STRAT 11) and Land at Northfield (Policy STRAT 12). The Plan goes on to state that:

"It is important that all opportunities are taken to ensure that these strategic developments on the city's boundaries are well connected for both pedestrians and cyclists. In addition, these new developments must support existing public transport routes and the expansion of these routes where required to ensure people have the option to use public transport to move around the whole city not just routes that go to the city centre."

2.1.3 The Preferred Options versions of the Local Plan (September 2022) did not contain any policies to further outline the Council's intentions for the Area of Focus. However, these are not included within the Submission Draft and are considered below.

2.2 Policy CBLLAOF: Cowley Branch Line and Littlemore Area of Focus

Remit and Scope of Policy

2.2.1 Part a) of Policy CBLLAOF requires, *inter alia*, development proposals to take the opportunity to increase connectivity and permeability through developments so people can walk or cycle across the area and to other parts of the city. Part a) of the Policy then goes on to explicitly state that this includes from the site allocations adjacent to the city which are in South Oxfordshire Local Plan 2035 (Strat 11 Land South of Grenoble Road and Strat 12 Northfield).

2.2.2 Parts b) – f) exclude the explicit reference to allocations adjacent to the city, but their wording suggests that they are equally applicable to such sites (given they fall, or partially fall, within the Area of Focus).

2.2.3 Whilst L&Q Estates and Brasenose College may support some of these objectives (such as improving pedestrian and cycle connectivity), it remains that these sites are wholly within South Oxfordshire District and therefore, as a matter of principle, it is not within the remit of the Oxford City Local Plan to impose policy requirements upon those sites. South Oxfordshire District Council is the determining authority for those sites and the South Oxfordshire Local Plan is the Development Plan against which applications on those sites will be determined.

Clarity

- 2.2.4 Part d) of Policy CBLLAOF requires “financial contributions from trip generating uses within a 1,500m buffer zone of the proposed CBL stations will be expected in order to achieve public transport enhancements in this area, including, among other sustainable transport measures, the delivery of the CBL”.
- 2.2.5 Figure 8.6 depicts site allocations within a 1,500m buffer from the proposed Oxford East station. However, this is limited to only those allocations within Oxford City and does not depict those within the South Oxfordshire Local Plan 2035 (Strat 11 Land South of Grenoble Road and Strat 12 Northfield).
- 2.2.6 It is unclear whether this is an accidental omission from Figure 8.6 or whether Oxford City Council does not intend to seek obligations from these two sites. Clarification on this matter is required because, as set out at Paragraph 2.2.2 above, Policy CBLLAOF is ambiguous as to whether it applies in its entirety to the South Oxfordshire Local Plan allocations.

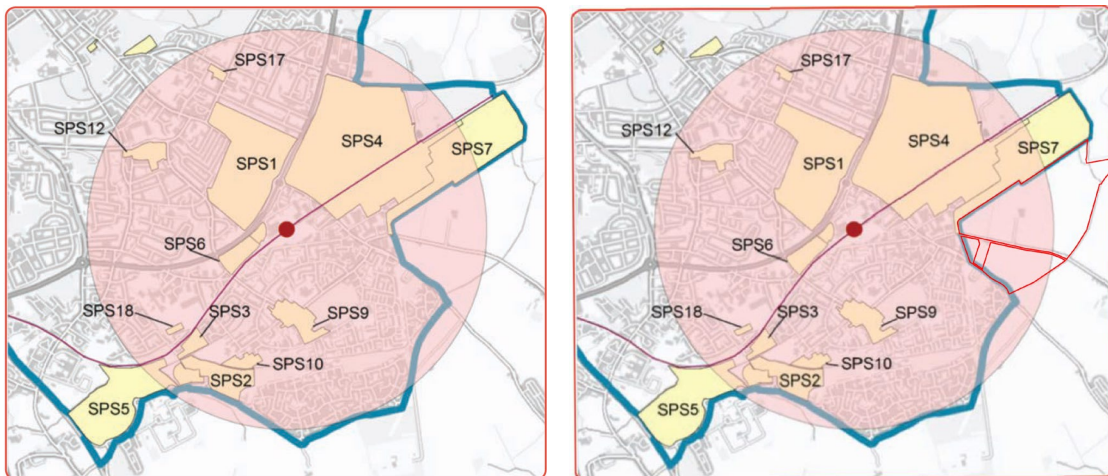


Figure 1: Extract of Oxford City Local Plan Figure 8.6 as originally drawn [Left] compared against an amended iteration with Land at Northfield shown by way of red line [Right].

- 2.2.7 For the avoidance of doubt, **L&Q Estates and Brasenose College do not support the inclusion of an obligation towards the CBL**, for the reasons set out below.

Tests for Planning Obligations

- 2.2.8 Land at Northfield was allocated in December 2020 via the adoption of the South Oxfordshire Local Plan. This allocation was made prior to, and entirely independently of, any proposals for the CBL, which did not exist at that time.
- 2.2.9 The development of Land at Northfield is therefore not dependent on the CBL coming forward and the site is not reliant upon the CBL in order to deliver sustainable transport alternatives such as walking and cycling.

- 2.2.10 As such, an obligation towards the CBL would not meet part a) of the tests for planning obligations¹, in that it is not necessary to make the development acceptable in planning terms. An obligation is therefore not justified.

Viability

- 2.2.11 Notwithstanding the above, it also appears that the Council has not appropriately considered the impact of Policy CBLLAOF and any associated obligations. The Oxford City Council: Local Plan Viability Assessment (July 2023) prepared by BNP Paribas Real Estate states:

"We have tested the impact of the main emerging policies which may have an impact on viability:

- *Affordable housing (Policy H2)*
- *Financial contributions from student housing developments (Policy H3)*
- *Older person's housing (Policy H4)*
- *Employer linked housing developments (Policy H5)*
- *Affordable workspace strategy (Policy E3)*
- *Climate change (Policies R1 and R2)*
- *Accessibility requirements (Policy HD14)*
- *Biodiversity Net Gain and urban greening (Policies G3 and G4)*
- *CIL rates*
- *Car free development (Policy C8)*
- *Cumulative impact of policies"*

- 2.2.12 In respect of the 'Cumulative Impact of Policies', the Assessment states:

"...our appraisals have regard to the cumulative impact of other plan policies which may have cost implications. In this regard, our appraisals therefore comply with the requirement in national guidance for a comprehensive assessment of all relevant plan policies in the viability assessment."

- 2.2.13 Notwithstanding the above 'catch-all' statement, the Assessment does not explicitly consider the impact of Policy CBLLAOF, either within the main body of the report or the list of Local Plan policies listed within the 'Policy Review' included at Appendix 1.

- 2.2.14 This is a significant oversight, given the Policy requires contributions towards not only the delivery of the CBL itself, but also towards other public transport enhancements and sustainability measures within the Area of Focus.

- 2.2.15 Whilst the specific projects covered by Policy CBLLAOF area not stated, the Council's Infrastructure Delivery Plan (October 2023) includes the following four projects which could fall within the remit of the Policy.

¹ Set out in Regulation 122(2) of the Community Infrastructure Levy Regulations 2010.

Reference	Scheme	Infrastructure Category	Infrastructure Type	Prioritisation	Cost	Confirmed Funding	Delivery Body	Delivery Phasing	District Area	Source
Transport										
T6	Cowley Branch Line passenger reopening, including improvements to mainline track capacity south of Oxford Station, likely additional track around Hinksey and two new passenger stations.	Transport	Rail	Transformational	£131,000,000	£4,560,000	Network Rail	2025-2030	Central and West Oxford South Oxford	Oxfordshire Rail Corridor Study
T6a	Cowley Branch Line: Pedestrian bridge	Transport	Rail	Transformational	TBC		Network Rail	2025-2030	South Oxford	Stakeholder engagement with Oxford City Council
T19	Cowley Road/ Garsington Road/ Watlington Road Corridor Improvements, from Magdalen Road to Grenoble Road, including improvements to Cowley interchange and active travel improvements linked with Route 14 of the LCWIP	Transport	Active Travel Bus Highways	Essential	£31,187,000		Oxfordshire County Council/ Developer Contributions	2025-2035	South Oxford	OxIS (2017)/ LCWIP
T42	Active travel network improvements in Blackbird Leys, including the linkages across the CBL	Transport	Active Travel	Important	Dependent on scope and scale		Oxfordshire County Council	2025-2030	South Oxford	Oxford City Council identified scheme

Figure 2: Extract from Oxford Infrastructure Delivery Plan (October 2023) Appendix C – Infrastructure Delivery Schedule 2040

2.2.16 It is evident from the IDP that, even when considering proposal T6 in isolation, there is an identified funding shortfall of £126,440,000. This shortfall rises to at least £157,627,000 if proposals T6a, T19 and T42 are included.

2.2.17 This shortfall is clearly significant and therefore it is a fundamental failing of the Viability Assessment to not have considered its impact. The findings of any such consideration should then be reflected in Policy CBLLAOF.

Summary

2.2.18 L&Q Estates and Brasenose College do not support the inclusion of an obligation towards the CBL within the Oxford City Local Plan, and specifically within Policy CBLLAOF. This is because:

- It beyond the remit of Oxford City Council to impose policy requirements upon sites within a neighbouring authority
- Likewise, it is beyond the remit of Oxford City Council to seek financial obligations from sites within a neighbouring authority
- Notwithstanding this, an obligation from Land at Northfield towards the CBL is not necessary to make the development acceptable in planning terms and therefore does not meet the tests for planning obligations.
- Oxford City Council has failed to consider the viability implications of requesting such obligations.

2.3 Policy SPS4: Mini Plant Oxford

2.3.1 Policy SPS4 sets out that the intensification and modernisation of the MINI Plant Oxford site to make the most efficient and effective use of the land. Development and/or changes of use of buildings to Class B2 (general industrial), Class E (offices and light industrial) together with Class B8 warehousing uses or other complementary uses will be supported in principle.

2.3.2 L&Q Estates and Brasenose College do not object to Policy SPS4 in principle, but the Policy should be amended to include a requirement for any development proposal within the site to

demonstrate consideration of its impact upon the neighbouring South Oxfordshire strategic allocation Land at Northfield (Policy Strat 12). Given the strategic importance of Land at Northfield to the delivery of the overall strategy within the South Oxfordshire Local Plan, it should accordingly not be prejudiced by any neighbouring development.

- 2.3.3 Policy SPS4 should be explicit that the consideration of impacts should include, but not be limited to noise/vibration, lighting, highways/transport and air quality.

2.4 Policy SPS7: Unipart

- 2.4.1 Similar to Policy SPS4 above, Policy SPS7 sets out that new development, modernisation and intensification of office (Class E), warehousing (Class B8) and general industrial (Class B2) employment uses will be supported in principle.

- 2.4.2 Paragraph 8.108 which forms part of the supporting text to Policy SPS7 identifies that Unipart lies adjacent to Land at Northfield and that Land at Northfield “...will need to be responded to both in the design of the new development at Unipart and the links to future transport infrastructure provision”. This is also carried through into the Policy wording, which states: “the future development of this site needs to consider its relationship to the new major housing development at Northfield and the treatment of sensitive boundaries and take account of potential linkages with the proposed infrastructure provision in the area”.

- 2.4.3 L&Q Estates and Brasenose College support this recognition but, as with Policy SPS4, the Policy wording should be explicit that consideration of impacts should include, but not be limited to noise/vibration, lighting, highways/transport and air quality.