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Dear Sir / Madam

LOCAL PLAN REGULATION 19 CONSULTATION: SUBMISSION DRAFT LOCAL PLAN NOVEMBER 2023

Savills is instructed by Wycliffe Hall to submit the following representations on the Local Plan Regulation 19 Consultation: Submission Draft, November 2023.

Wycliffe Hall are aware of and support the University of Oxford’s representations to this Regulation 19 Consultation. The following comments relate more specifically to Wycliffe Hall and their campus around 54 Banbury Road, Oxford.

In general, Wycliffe Hall supports the content of the draft Local Plan. Notwithstanding this, we have the following comments to make. These are put forward in a constructive manner to ensure that Local Plan has the best chance of being found sound at the subsequent Local Plan Examination.

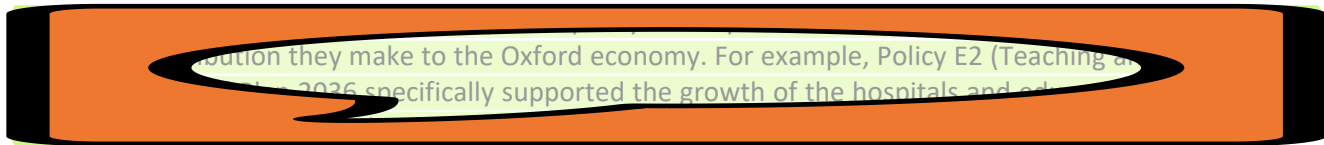
Objectives and Strategy and Chapter 3 – A Fair and Prosperous City with a Globally Important Role in Learning, Knowledge and Innovation

Policy or Paragraph Reference	Legally Compliant?	Sound?	If Unsound it is because it is <u>not</u> :	
Vision, Objectives and Overarching Threads	Yes	No	Positively Prepared	X
			Justified	X
			Effective	
			Consistent with National Policy	

Paragraph 1.11 acknowledges that “the universities and hospitals are key to the success of the knowledge economy in Oxford”. Paragraph 3.4 also states “Oxford’s economy is shaped by the presence of its two successful universities.”

However, in general the Vision and Policy S1 do not adequately acknowledge the contribution that the Universities and Colleges make to local social value, educational services and tourism as well as their economic development role both locally and to the wider economy. This point should be recognised in the Vision and Policy S1.





...ution they make to the Oxford economy. For example, Policy E2 (Teaching and
 ... 2036 specifically supported the growth of the hospitals and ed

In addition to consideration of the above, the below amendment is suggested to point (f) of Policy S1 to allow development proposals to come forward where they affect blue and green infrastructure networks in accordance with other policies in the plan.

Suggested Amendment to Paragraph 1.2:

Include reference to University of Oxford and Oxford Brookes University in the Vision as below:

“...to innovate, learn and enable businesses, **the University of Oxford and Oxford Brookes University to prosper....”**

Suggested Amendment to Policy S1

f) prevent new development in locations where it would damage important blue and green infrastructure networks, public open space, and flood plain, **unless mitigated.**

Chapter 2 – A Healthy, Inclusive City to Live

Chapter two and the policies within it seek to make best provision for meeting the housing needs of the City. This chapter acknowledges that there is a limited supply of housing within the City.

Policy or Paragraph Reference	Legally Compliant?	Sound?	If Unsound it is because it is <u>not</u> :	
Policy H9	Yes	Yes	Positively Prepared	
			Justified	
			Effective	
			Consistent with National Policy	

Wycliffe Hall recognises that the under provision of student accommodation can impact upon the availability of private market dwellings due to potential occupancy by students and that the increased provision of student accommodation can therefore, release these dwellings back into the market place. Wycliffe also support the Council’s continued allowance for the use of bedrooms outside of term time as this supports not only the local economy but Colleges, through the use of space for conferences and/ or additional tourist accommodation. This policy is considered to be Legally Compliant and Sound.

Chapter 4 – A Green Biodiverse City that is Resilient to Climate Change

Chapter 4 sets out the Council’s approach to green infrastructure and biodiversity. Wycliffe supports the Council’s approach to seeking to protect green infrastructure and biodiversity however, considers that the rigidity in which the policies are written provide limited scope for those parties with limited site area to grow and expand as needed. This provides a direct conflict with the Council’s policies to support the economic contribution of College’s associated with the University of Oxford. The specific comments relating to the policies in this section are set out below.

Policy or Paragraph Reference	Legally Compliant?	Sound?	If Unsound it is because it is <u>not</u> :	
Policy G1	Yes	No	Positively Prepared	
			Justified	X
			Effective	
			Consistent with National Policy	

Policy G1 sets the Council’s approach to green and blue infrastructure and seeking to protect the network of spaces which are present throughout the City. The Policy categorises spaces into 3 groups: A) Core; B) Supporting; and C) All Other. The grounds of Wycliffe Hall are categorised as Private Open Space (group G1B).

We note that private green spaces have been included within the supporting tier where they exceed a size threshold of 0.3ha. There does not appear to be a consistent approach to the categorisation of such spaces. In addition, there is no assessment on the biodiversity of the sites identified and the supporting green infrastructure spaces identified include areas of hard standing which will have limited biodiversity value.

For Category G1B sites, the policy allows for planning permission to be granted where any harm/ loss is mitigated through ‘sufficient re-provision’, although this is not defined. The policy also identifies that this should be on site. There is no consideration in the policy for those sites which have restricted space and no other options for development opportunities, such as Wycliffe Hall. The competing need of the College and the Council’s desire to retain green spaces which are not accessible to the public could be considered to sterilise the College’s ability to meet the needs of its students, particularly in relation to student accommodation. There should be a caveat in the policy which acknowledges this and changes to the text of the policy are suggested below.

The suggestion is similar to the flexibility already allowed for in Policy G1 for extensions in residential garden land. This part of the policy states that planning permission will be granted for new dwellings on residential garden land where “requirements are met for biodiversity as set out in Policy G4, greening factor as set out in Policy G3 as well as requirements for protection of existing green infrastructure features”. Similar flexibility should be allowed for in ‘supporting green and blue spaces’ and ‘all other green and blue spaces’ to allow for development that meets other aims of the local plan, including supporting the provision of student accommodation and new academic facilities (Policies H9 and H10).

The aims of Policy G1 are acknowledged, however, other Policies in Chapter 4 also seek to protect and enhance biodiversity and the city’s green infrastructure network and therefore providing more flexibility within Policy G1 will not undermine the overall aims of this Chapter.

In relation to loss of trees on a site, it is not always possible to re-plant on the site and make efficient use of the land. In addition, re-planting trees on site may not always provide the benefit intended. For example at Wycliffe Hall, the existing canopy cover is 45%. This compares to a Tree Equity canopy goal of 30% and the Oxford City canopy cover at 22.3%. A tree management strategy has been adopted for Wycliffe Hall which states that it will seek to maintain a minimum canopy cover of 40%. This is a reduction in the existing tree canopy cover but the aim is to improve the quality and age diversification of trees across the site as well as the habitat and therefore the biodiversity offering. The policy should ensure there is flexibility within point (f) to allow for a loss of tree canopy cover where the quality of trees and biodiversity of the site is improved. It is not considered that the Urban Greening Factor is the most appropriate method to do this and therefore an amendment to the policy is suggested below.

Suggested Amendment:

1. Provide more flexibility in the policy to ensure it takes a positive approach to development.

...

G1B: Supporting Green and Blue spaces

Planning permission will only be granted for proposals which affect Supporting Green and Blue spaces where any harm/ loss is mitigated by ensuring sufficient re-provision, ideally onsite, and to the same standard or higher, **OR where it can be demonstrated that re-provision is not possible with alternative forms of development.** These spaces are designated G1B on the proposals map.

G1C: All other Green and Blue spaces

Planning permission will only be granted for proposals which affect all other Green and Blue spaces where any impacts are mitigated by ensuring sufficient re-provision, ideally onsite, and to the same standard or higher, or if it can be demonstrated in the application that current provision is surplus to requirements, **OR where it can be demonstrated that re-provision is not possible with alternative forms of development.**

...

f) where loss of trees cannot be mitigated by tree planting then alternative forms of green infrastructure should be incorporated that will mitigate the loss of trees, ~~using the Urban Greening Factor to demonstrate no reduction in GI score as a minimum~~ (as well as meeting any other requirements as set out in policy G3).

Policy or Paragraph Reference	Legally Compliant?	Sound?	If Unsound it is because it is <u>not</u> :	
Policy G3	Yes	No	Positively Prepared	
			Justified	X
			Effective	
			Consistent with National Policy	

G3 introduces the Urban Greening Factor which sets out that the development of sites should achieve a minimum score or no reduction in the green factor, calculated from the types of green infrastructure found on site using a formula set out in the appendices of the draft plan. It is recognised that the provision of new green spaces as part of development proposals is constrained however, this requirement puts significant pressure on applicants who have limited site areas and who have certain functions that also need to be achieved in those spaces. Wycliffe Hall seeks to expand the provision of student accommodation on the campus to allow for the release of private rented accommodation to the open housing market as well as address shortfalls in its academic facilities. This may involve the loss of some of the current green space to enable this to happen. The use of the policy to prevent the loss of space would essentially sterilise the potential for development at the site which, if allowed, could achieve wider benefits such as the release of general housing back into the market.

It is noted that the Urban Greening Factor works alongside biodiversity net gain but provides a ‘simpler’ output. It is questioned why this additional layer of calculations is required as where it has been introduced elsewhere this tends to have been prior to the introduction of the minimum net gain requirements of Local Plans. It is considered that this policy is not fully justified nor does it allow any scope for flexibility where circumstances indicate that it would sterilise development. The below policy wording is suggested.

Applicants are expected to assess and submit the baseline score for the site pre-development, prior to any site clearance, as well as the proposal as built/post-development. The as built/post-development score required for development proposals will need to meet the following policy criteria:

Major development: proposals should demonstrate that there would be no reduction in baseline score and achieve a minimum score of:

- 0.3 for residential or predominantly residential schemes
- 0.2 for predominantly non-residential schemes

Where it is demonstrated that meeting the above UGF cannot be achieved it should be demonstrated that all measures have been taken to maximise the UGF on site.

All other forms of development – with the exception of householder applications – are encouraged to demonstrate how they have undertaken greening of their site through use of the UGF tool, though this is not mandatory.

Chapter 5 – A City that Utilises its Resources with Care, Protects the Air, Water and Soil and Aims for Net Zero Carbon

Chapter five of the Local Plan primarily relates to the use of resources and carbon emissions. Wycliffe Hall acknowledge that the changing climate and the Council’s ‘Climate Emergency’ require action to tackle the impact of built development upon the environment and in general support the Council’s drive to reduce the impacts. In relation to the specific policies set out in the draft plan the comments below are provided.

Policy or Paragraph Reference	Legally Compliant?	Sound?	If Unsound it is because it is <u>not</u> :	
Policy R1	Yes	No	Positively Prepared	
			Justified	
			Effective	X
			Consistent with National Policy	

The college support the principle of striving towards net zero buildings given the UK’s commitment to achieving net zero carbon by 2050 and this reflects Wycliffe’s own ambition to reach net zero carbon. Some of the requirements are enshrined in building regulations where continued raising of standards will mean buildings meet these levels in the future in any event.

It is noted that Energy Use Intensity Targets are proposed however, these and space heating demand targets are not useful for a number of building types which can make its implementation more challenging. It is not clear from the background paper whether alternative forms of energy use rating were considered. The use of the Display Energy Certificates (DEC) could be considered as this methodology allows for various building types within its methodology.

The Policy seeks to introduce offsetting where the relevant energy generation requirements cannot be met on site and outline a preference for offsetting through provision on site elsewhere. Where applicants have limited land control this is not likely to be achievable and, where the City already recognises a significant shortfall in land available to meet the City’s need for housing, it is questioned how reasonable an approach this is. Furthermore, restrictions on sites with valuable heritage may not be appropriate for on site generation, further restricting the options available to applicant. As a second option a (outlined as the least favourable option) the Council will allow payments into the Council’s offsetting fund, secured through legal agreement. Whilst the background papers set out the calculations for the level of contribution required. Should this be retained as a proposal in the policy the City Council will need to ensure that it has a suitable audit trail for payments made and projects delivered and the amount of carbon offset.

The Policy expects proposals for conversions, extensions and change of use to demonstrate accordance with criteria 1 and 4 which includes that non fossil fuels are being directly utilised in the operation of the development. In some instances, it may not be the most appropriate or sustainable solution to replace gas boilers where they are relatively new and in good condition. It may be more appropriate for the heating system to be upgraded to a non-fossil fuel solution when the existing heating system requires replacement.

The above comments should be fully explored and justified and a suitable mechanism for off-setting established before the proposals can be considered effective.

Policy or Paragraph Reference	Legally Compliant?	Sound?	If Unsound it is because it is <u>not</u> :	
Policy R2	Yes	Yes	Positively Prepared	
			Justified	
			Effective	
			Consistent with National Policy	

Policy R2 relates to embodied carbon in the construction process seeking to ensure that this is minimised as far as possible. The College support this approach in principle. It is agreed that the re-use of existing buildings should be robustly explored before demolition is supported however, this requirement should be in the context that the retention of poor quality buildings for re-use can actually lead to a greater level of embodied carbon.

Policy or Paragraph Reference	Legally Compliant?	Sound?	If Unsound it is because it is <u>not</u> :	
Policy R3	Yes	Yes	Positively Prepared	
			Justified	
			Effective	
			Consistent with National Policy	

Wycliffe Hall recognise that improvements to existing buildings can make significant strides in energy efficiency of those buildings. The positive approach set out in Policy R3 in terms of retrofitting is welcomed.

Chapter 6 – A City that Respects its Heritage & Fosters Design of the Highest Quality

Policy or Paragraph Reference	Legally Compliant?	Sound?	If Unsound it is because it is <u>not</u> :	
Policy HD6	Yes	No	Positively Prepared	
			Justified	
			Effective	
			Consistent with National Policy	X

Policy HD6 is not consistent with National Policy in the form of the NPPF (Dec 2023) paragraph 209. The policy currently refers to balancing the scale of any harm against the public benefits that may result from the development. The NPPF only refers to balancing public benefits against harm for designated heritage assets and not non-designated heritage assets. The policy should be amended as below to ensure it is consistent with National Policy.

Suggested Amendment to Policy HD6:

“In determining whether planning permission should be granted for a development proposal that affects a **non-designated** local heritage asset **a balanced judgement will be required having regard to the scale of any harm or loss.** and the significance of the heritage asset, consideration will be given to the significance of the asset the extent of impact on its significance, as well as the scale of any harm or loss to the asset as balanced against the public benefits that may result from the development proposals.

Summary

We trust that the above comments will be taken on board in a constructive manner in order to provide a Local Plan that meets the requirements of the NPPF, including being flexible, deliverable and sound. If you have any questions in relation to these representations, please contact Rebecca Bacon at the above address.

Yours faithfully



SAVILLS