

5 January 2024
L240105 SAV Forge BIO LP Reps



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Submitted by email: planningpolicy@oxford.gov.uk

Dear Sir or Madam

**OXFORD LOCAL PLAN 2040
PROPOSED SUBMISSION DRAFT (REGULATION 19) CONSULTATION
REPRESENTATIONS MADE ON BEHALF OF FORGE BIO GP 2 LTD ACTING AS GP OF FORGE BIO
NO.2 L.P**

Introduction

We write on behalf of, Forge Bio GP 2 LTD acting as GP of Forge Bio No. 2 L.P ('**Forge Bio**'), in respect of its interests in land at 23-42A Hythe Bridge Street in Oxford.

Specially, this correspondence is submitted to provide a formal consultation response to the Oxford Local Plan 2040 Submission Draft (November 2023) and follows previous engagement through earlier rounds of consultation on the emerging Local Plan and recently adopted West End & Osney Mead Supplementary Planning Document ('**SPD**').

Please note that Forge Bio GP 2 LTD acting as GP of Forge Bio No. 2 L.P is a Fund managed by UBS.

UBS has acquired the headlease to 23-42A Hythe Bridge Street in Oxford (known as 'Beaver House' and its immediately adjoining buildings). The land is situated within Oxford's West End and specifically promoted as an 'Area of Focus' by the Submission Draft Local Plan.

In summary, Forge Bio strongly supports the aspirations for investment and growth within Oxford as detailed by the Submission Draft Local Plan. Furthermore, the strategic objective to deliver employment floorspace in the City's most inherently sustainable locations is also welcomed.

However, it strongly advocates that in order to help realise these aspirations and for the Draft Local Plan to be found 'sound', the Council should make amendments in order to better capture greater potential for the redevelopment and / or intensification of existing 'brownfield sites'.

The justification for our requested amendments to the emerging Local Plan are set out in further detail as part of this consultation response.

We trust that the content of this consultation response will be considered fully by the Local Planning Authority and afforded the appropriate level of weight in preparing the next version of the Local Plan.

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The Site

Forge Bio's land interest relates to three separate but, adjoining plots located on Hythe Bridge Street in Oxford. The buildings at the Site are:

- Beaver House, 23-38 Hythe Bridge Street;
- 39-42 Hythe Bridge Street; and
- 42A Hythe Bridge Street

Beaver House comprises a four storey multi-occupied office building (Class E(g)(i)) which was constructed in the early 1970s and served by a surface and basement car park located to the rear.

39-42 Hythe Bridge Street comprises a three-storey building which is occupied for educational use (Class F1) at the upper floors. The ground floor is currently configured as two restaurant units (Class E(b)).

42A Hythe Bridge Street comprises of a single storey brick building and is currently occupied as a restaurant (Class E(b)). The building is identified as a locally important heritage asset on account of its role in helping to provide a memory of the community of boatpeople who worked on the Oxford Canal and the city's waterways.

The main pedestrian entrances to all buildings is from Hythe Bridge Street with vehicular access to the surface car park provided via Hythe Bridge Street.

The Site is located entirely within the defined City Centre. It is bound to the south by the A4144 (Hythe Bridge Street), the west by Rewley Road and the north by Rewley Road Fire Station. To the east of the Site are residential properties located on Upper Fisher Row with the Oxford Canal located beyond these.

The surrounding context is characterised by a range of land uses including commercial, education, residential, fire station, hotel and hostel.

The relevant buildings are not subject to any specific land use allocation within the emerging Local Plan but are located within the defined boundary of Oxford City Centre. They also forms part of the wider 'West End and Osney Mead Area of Change' where more comprehensive regeneration and redevelopment is envisaged and higher densities are supported in principle.

The properties at 39-42A Hythe Bridge Street form part of the Central (University and City) Conservation Area. Beaver House is not within a defined conservation area. None of the buildings at the Site are statutorily listed.

Representations to the Submission Draft Local Plan

The National Planning Policy Framework ('NPPF') requires all Local Plans to be based upon and reflect the presumption in favour of sustainable development, with clear policies that will guide how the presumption should be applied locally.

Local Planning Authorities should positively seek opportunities to meet the development needs of their area and Local Plans should meet objectively assessed needs with sufficient flexibility to adapt to rapid change. They should also be consistent with the principles and policies of the NPPF, and should be aspirational but realistic to address spatial implication of economic, social and environmental dimensions.

Planning policies should amongst other things be '*flexible enough to accommodate needs not anticipated in the plan...to enable a rapid response to changes in economic circumstances*'³. Paragraph 124 states that planning policies should encourage multiple benefits from urban land.

At the heart of the above is a presumption in favour of sustainable development which for plan-making means positively seeking opportunities to meet development needs of an area, and be sufficiently flexible to adapt to rapid change.

Within this context, the Submission Draft Local Plan seeks to identify sites to meet Oxford's need for housing, employment sites and other uses.

It is specifically stated that Oxford's employment land needs have been calculated to be between 269,000 – 3480,000 sq. m over the plan period. Around two thirds of this need is attributed to office, research and development, and laboratory space, which is stated to reflect the market demand profile for the City.

In general terms, the Submission Draft Local Plan is considered to be consistent with the requirements of the NPPF and effective in terms of outlining a vision and strategy to deliver the regeneration and growth objectives for Oxford.

However, it is felt that the policies and aspirations could be pushed further to proactively drive and support the ambition to boost employment supply in line with the required demand. This fully accords with the desire to optimise the use of land as set out within the NPPF.

We set out our responses to the relevant chapters of the Submission Draft Local Plan and associated evidence base below.

Whilst these representations are focussed primarily on the abovementioned land interests at 23-42A Hythe Bridge Street it is noted that the comments made also relate to the delivery of the wider strategic policies of the Submission Draft Local Plan by association.

Vision and Strategy

The vision as set out at paragraph 1.2 and six themes which underpin this as illustrated at Figure 1.1 of the Submission Draft Local Plan are supported.

Specifically, we welcome the intention to support research and development in the life sciences and health sectors and the economic objective to create a prosperous city with a globally important role in learning, knowledge and innovation.

The land interests at 23-42A Hythe Bridge Street provide a unique opportunity to contribute towards the realisation of this vision. Furthermore, any development scheme to be brought forward here will perform a key role in facilitating the delivery of an improved gateway into Oxford and modern floorspace which meets the needs of occupiers within the target commercial sectors (i.e. Oxford's knowledge economy).

Given this strategic objective the policies of the emerging Local Plan will need to afford sufficient flexibility to enable the delivery of high quality development schemes which can accord with the six themes and ultimately meet the overall vision for Oxford in 2040.

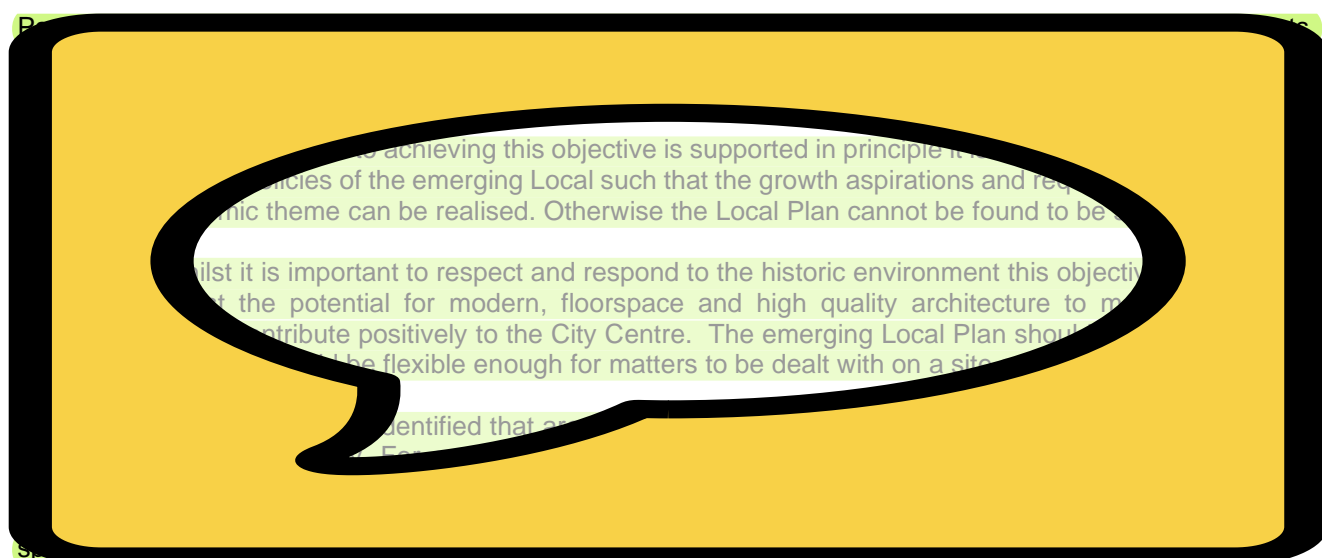
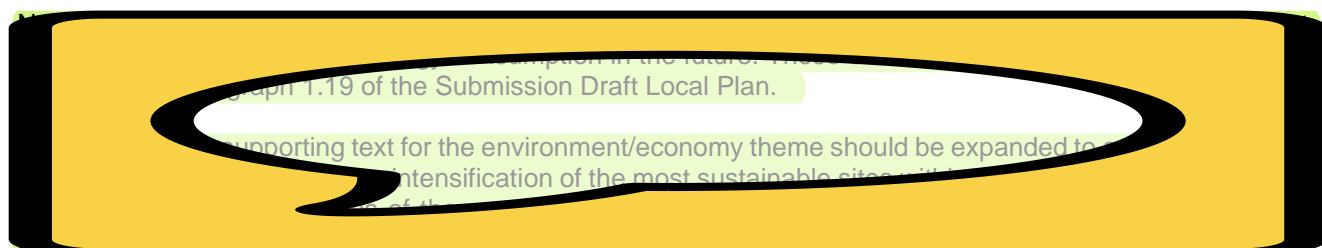
Paragraph 1.12 of the Submission Draft Local Plan seeks to ensure the continued delivery of employment floorspace in the City's most inherently sustainable locations which are easily accessible by walking cycling and public transport (i.e. the City and District Centres) through an approach of modernisation and intensification of employment uses at these locations.

This objective is strongly supported. Furthermore, it is noted that it will be necessary for the emerging Local Plan to foster the creation of a critical mass of modern employment floorspace in such locations in order to fully realise the aspirations to deliver a successful and sustainable 'Innovation District' as outlined by the adopted West End & Osney Mead Supplementary Planning Document, November 2022 ('**West End SPD**').

As set out above, the buildings at 23-42A Hythe Bridge Street are well placed to help contribute to this aspiration given its location at a gateway to the City Centre.

Paragraph 1.19 of the Submission Draft Local Plan supports the retro-fitting of existing buildings to improve energy efficiency and adaptation to climate change as part of a road map to net zero by 2040.

Whilst the intent of such statements is acknowledged it should be noted that there are a number of factors to be considered in respect of meeting these objectives. Indeed, it is not always possible (structurally or viable) to proceed with a development scheme which retains existing built form and so there is a requirement to consider building design and construction on a site specific basis.



The West End SPD has only very recently been adopted and forms part of the development plan however there are just three references to it within the Submission Draft Local Plan. Given the Council's aspirations to deliver an 'Innovation District' in this part of the City; there should be greater weight afforded to this within the vision for the emerging Local Plan.

Policy S1 of the Submission Draft Local Plan sets out the spatial strategy. This is considered to be consistent with the overarching objectives of the NPPF and is therefore considered to be sound.

In particular, the identification of the following criteria for which development is 'located' to is welcomed:

- b) ensure new development is focussed on areas with opportunities for sustainable travel links;
- c) ensure activities that attract large numbers of people are centrally located in the city centre and district centres, so they are easy to reach by walking, cycling and public transport; and
- d) focus new employment development that supports Oxford's national and international role in research and development on existing sites already in that use, prioritising housing elsewhere;

As set out above, the ability for development proposals to meet these criteria will be wholly dependent on the application of the other policies within the emerging plan. Should these be applied too rigidly the spatial strategy will be undermined to the extent it cannot be achieved and the Local Plan cannot ultimately be found to be sound.

We would advocate that a finer grain assessment of individual sites will be required to ensure that opportunities are maximised where possible to make the most effective use of land and meet the overarching principles of sustainable development.

It follows that the intensification of previously developed sites should form a critical component of the spatial strategy and be captured by Policy S1 of the Draft Submission Local Plan.

This will ensure the emerging Local Plan is consistent with the principles and policies of the NPPF and ensure that the presumption in favour of sustainable development is truly embedded within it.

A Fair and Prosperous City with a Globally Important Role in Learning, Knowledge and Innovation

Forge Bio fully supports the objective to continue to build on the city's strengths in knowledge, healthcare and innovation as set out in the Submission Draft Local Plan.

Specifically, there is significant support for the recognition that there are ongoing opportunities for education, learning and skills development. The major economic assets, such as the universities and cutting-edge research in key areas, is an opportunity for Oxford to contribute to the aim of being a fair and prosperous city.

Paragraph 3.1 of the Draft Submission Local Plan relates to Oxfordshire's wider economic vision including the Local Investment Plan ('LIP') which aims to add £1.2bn GVA by 2030. The role that the research and development sector can contribute to this aim is considerable and it is notable that there is high demand for new laboratory space within Oxford which is not currently being met. Great weight should be given to how developer interest within the research and development sector will assist in reaching the economic aims of the emerging Local Plan.

The Employment Land Needs Assessment (Interim Report) (2022) identifies that the around two thirds of the floorspace need identified for Oxford is attributed to office, research and development and laboratory space. The Submission Draft Local Plan states that this need can be met by 2040 through the delivery of appropriate sites within defined locations such as the West End.

However, unless the role that the intensification and modernisation of existing employment sites within Oxford can play is fully recognised by the emerging Local Plan there is a risk that the deliverability of the identified floorspace need will not be met by 2040.

The Employment Strategy as set out from paragraph 3.8 of the Submission Draft Local Plan is supported. In particular, a locational strategy which seeks the intensification and modernisation of existing employment sites and the delivery of appropriate redevelopment opportunities to be delivered within the City Centre is fully endorsed. This approach is fundamental to ensuring that Oxford can deliver its employment land needs in a way which reflects the market demand profile for the City.

Whilst we do not disagree with the approach to categorise Oxford's employment sites we do not endorse the definition of Category 3 sites as set out at paragraph 3.12 of the Submission Draft Local Plan. These are principally described to comprise smaller, poorly located sites that do not perform such an important economic function or are likely to be able to in the future. This statement is fundamentally incorrect.

If indeed Category 3 sites are defined to comprise 'all other employment sites' within Oxford as currently proposed by Draft Policy E1 there needs to be acknowledgement at paragraph 3.12 that those sites express a range of different characteristics. In the case of Beaver House, this relates to an existing large employment site which is well located within the City Centre and has the potential to contribute materially towards the economic function of the City.

The role of such Category 3 employment sites cannot be understated, particularly given the overall strategy is heavily reliant upon intensification and modernisation of existing sites. The emerging Local Plan should recognise this.

At present, paragraph 3.12 contradicts the intention for Draft Policy E1 to seek the intensification and modernisation of Category 3 employment sites within the City or District Centre. It follows that this paragraph should be amended to reflect that the delivery of new employment floorspace in sustainable locations such as the West End is supported in line with Draft Policy E1.

This will ensure that the supporting text better aligns with the objectives of the policy in respect of differentiating between Category 3 sites which are located within and outside of defined centres.

Policy E4 of the Draft Submission Local Plan requires a Community Employment and Procurement Plan (CEPP) to be submitted to support applications. Forge Bio support the aims of this policy in principle, however, flexibility in relation to how roles are fulfilled must be included.

As set out above, around two thirds of the overall identified employment floorspace need is for office, research and development and laboratory space. It follows that there will be a requirement for specialist staff and any consideration of a CEPP submitted in support of a planning application should be assessed with regard to the roles that would be delivered in conjunction with these operations.

A Green Biodiverse City that is Resilient to Climate Change

The importance of green and blue infrastructure within Oxford is acknowledged and supported. In particular, the multi-functional benefits of this and how these spaces can be protected and where possible, enhanced is endorsed.

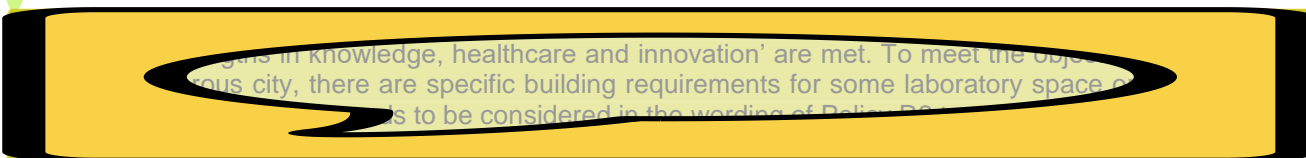
In relation to Policies G3, G4 and G5, it is suggested that flexibility is applied when assessing the outcomes. The importance of site specific considerations for potential development should be considered in the overall policy objectives of the wider Local Plan and, where appropriate, with offsite contributions as a potential alternative to meeting requirements where site constraints may not allow for onsite delivery.

A City that utilises its resources with care, protects the air, water and soil and aims for net zero carbon

The objective of all new buildings being net zero carbon in operation is generally supported by Forge Bio. It is acknowledged within paragraph 5.4 that 'exemplary design may actually be able to demonstrate a negative carbon balance' however it is not established that there will be greater weight afforded to developments which do provide a negative carbon balance. This should be established within the supporting text to ensure that any benefits in relation to delivering a negative carbon balance are afforded appropriate weight as part of the overall planning balance.

Policy R1 relates to net zero buildings in operation. Whilst the general approach to this Policy is supported in principle it is critical that there is flexibility embedded into the policies of the emerging Local Plan such that the growth aspirations and requirements set out as part of the economic theme can be realised. Otherwise the Local Plan cannot be found sound as set out above.

In relation to Policy R2, Forge Bio generally supports its aims. Point a) of the Policy relates to re-use of any existing building and that it must be demonstrated that re-use is 'unfeasible before resorting to demolition'. Whilst it is important that any potential re-use of buildings is fully explored as part of any redevelopment schemes, this objective needs to be balanced against the optimisation of sites within Oxford to achieve their full potential and meet the overall vision for the emerging Local Plan.



A City of culture that respects its heritage and fosters design of the highest quality

Forge Bio fully supports the objectives to deliver well-designed, beautiful buildings and public spaces and to ensure that the significance of valued and important heritage is conserved and enhanced.

Notably, the recognition that “Oxford is a dynamic city that must adapt and change” as set out at paragraph 6.3 of the Draft Submission Local Plan is welcomed. This is critical to ensure that appropriate intensification of sites can be achieved through good design.

Policy HD1 of the Submission Draft Local Plan relates to conservation areas and states that “for all planning decisions for planning permission or listed building consent affecting the significance of a conservation area or its setting, **great weight** will be given to the conservation of that conservation area and to the setting of the conservation area where it contributes to that significance or appreciation of that significance”.

Whilst it is important to respect and respond to the historic environment this objective needs to be balanced against the potential for modern, floorspace and high quality architecture to meet commercial requirements and contribute positively to the City Centre.

The inclusion of the phrase ‘great weight’ is not considered to be appropriate. There is no justification within the emerging Local Plan for this heritage policy to be afforded greater weight than other strategic objectives such as the requirement to deliver homes or new jobs.

A revision to the Policy will ensure that heritage assets would still benefit from protection but without imposing a hierarchy within the Local Plan and conflict that could preclude development and innovation. It is critical that the evolving context for particular areas (such as the Area of Focus and the West End SPD) can be afforded appropriate weight.

Policy HD7 of the Submission Draft Local Plan sets out the principles of high quality design for development within Oxford.

Paragraph 6.34 of the supporting text to this policy states that “Making efficient use of land and delivering high quality design within new development requires a holistic understanding of a site’s context”. This supports the position set out above for each proposal to be considered on a case by case basis in regard to both its constraints and opportunities.

Policy HD8 of the Submission Draft Local Plan requires development proposals to make efficient use of land, appropriate for the context of the site and its surroundings. It is expected that sites at mobility hubs and within the City and District Centres will be capable of accommodating development at an increased scale and density.

This Policy objective is strongly supported and should be the starting point for consideration of development proposals in such locations.

It is noted that paragraph 6.47 of the Submission Draft Local Plan is incorrectly numbered and should be amended to read:

The paragraph provides supporting text in respect of the consideration of roofscape and views. It is specifically stated that maximum ridge or parapet length of 25 metres without either a substantial vertical or horizontal break or interrupting features is a rule-of-thumb guideline that will be followed for Oxford’s skyline

This requirement is too restrictive and does not account for the operational characteristics of some uses which will drive the functional use of floorspace. A finer grain assessment of individual sites will be required to ensure that opportunities are maximised where possible to make the most effective use of land and meet the overarching principles of sustainable development.

Policy H9 of the Submission Draft Local Plan seeks to control building heights and states that planning permission will not be granted for development that will not retain the special significance of views of the historic skyline.

The intention for the Council to independently assess proposals for height that is above the prevailing heights of the area against criteria a) to g) of Policy H9 is supported.

Specifically, the ability to provide justification that any benefits outweigh the harm (where harm is caused) to an asset or its setting is welcomed. This is an essential part of the requirements for applications to be considered within the context of an overall planning balance.

A Liveable City With Strong Communities and Opportunities for All

The principle of focusing 'main town centre uses' within defined centres as proposed by Policy C1 of the Submission Draft Local Plan is supported.

This Policy should include support for all operations within Class E including those which can be carried out in a residential area without detriment to its amenity - i.e. research and development and light industrial uses which aren't currently identified.

This will ensure that the emerging Local Plan is consistent with the objectives of the NPPF and adopted West SPD where such uses are explicitly promoted within town centre locations.

Policy C2 of the Submission Draft Local Plan promotes the densification and growth of the City Centre and is supported.

In respect of active frontages, this Policy stipulates that planning permission will be granted at ground floor level for town centre uses where the proportion of Class E units within the defined active frontage would remain above a prescriptive threshold.

The buildings at 39-42A Hythe Bridge Street are located within the defined secondary frontage where this threshold is proposed to be set at 70%.

...making ground floor Class E floorspace is not feasible. Proposals should be assessed in relation to what the existing Class E floorspace adds to the vitality and viability of the town centre.

A traditional view of 'active' frontages should be replaced with 'positive' frontages acknowledging that different types of frontages can have different impacts and functions in different locations. This is recognised in part through the wording at parts m) to o) of Policy C2 where the ability to maintain activity is not expressly linked to land use.

More specifically, we would question the identification of those buildings at 39-42A High within the defined 'secondary frontage'. These buildings on the north side of Hythe Bridge Street are isolated and do not form a key part of the network of frontages such that they contribute materially to the vitality and viability of Oxford City Centre. The primary and secondary frontages should be distilled further such that they accurately reflect core areas for commercial uses.

Development Sites, Areas of Focus and Infrastructure

Policy WEAOF of the Submission Draft Local Plan covers the West End and Botley Area of Focus.

Paragraph 8.339 identifies this an appropriate location for employment-related development opportunities which seek to build on Oxford's key economic strengths that link research, education and social enterprise in areas such as life sciences and energy.

Given the high demand for commercial research and development space and specific developer interest, it is noted that this sector will likely be the main driver of development across the area.

The designation of the Area of Focus and intention for this be aligned with the principles established by the West End SPD is strongly supported.

However, whilst the supporting text to the policy highlights support for commercial research and development space it does not expressly refer to the target to establish an Innovation District as outlined by the adopted West End SPD. This objective should be clearly outlined at paragraph 8.343 of the Submission Draft Local Plan to ensure that this is aligned with the SPD and strategic vision for the emerging Local Plan.

The Innovation District is a key strategic objective and should be included within the Vision, Spatial Strategy and emerging Policy E1.

Summary and Conclusion

The representations made by Forge Bio in this consultation response should be addressed by the Council in order to make the emerging Local Plan sound and critically, ensure the City can manage its land supply and future development to meet the needs of local communities.

In particular, the Council should:

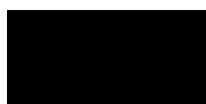
- Include explicit reference to the objective to create an Innovation District in the West End in the Vision, Spatial Strategy and Policy E1.
- Remove the reference to 'great weight' in Policy HD1 which could be implied as creating a hierarchy of policies within the Local Plan and creates conflict with other policies and strategic objectives;
- Acknowledge the potential scale and importance of Category 3 sites in Policy E1;
- Introduce sufficient flexibility for a variety of policies to ensure that strategic objectives can be met;
- Ensure that there is the ability for assessment of individual sites to ensure that opportunities are maximised and make effective use of land to meet overarching principles of sustainable development; and
- More explicitly recognise and reference the role which the research and development sector is expected to contribute towards economic growth over the lifetime of the emerging Local Plan.

We trust that this consultation response will be fully considered by the Council and its contents afforded the appropriate level of weight. Our client would welcome the opportunity to meet with professional officers of the Local Planning Authority to discuss these representations in more detail, as well as review the evidence base, its analysis and development options for the relevant land interests.

On behalf our client, we would be grateful if you could acknowledge receipt of these representations and keep us updated on the progress of the emerging Local Plan and any future stages of consultation.

Should you require any clarification or additional information, please do not hesitate to contact Tim Price or Chris Moore at these offices.

Yours faithfully



Savills (UK) Limited
Planning

Encs: Oxford Local Plan 2040 Submission Draft Comment Form