

Draft Statement of Common Ground between Oxford City Council

and Oxford Health NHS Foundation Trust

Submission Draft (Regulation 19) Oxford Local Plan 2040

March 2024

To note: this document has been signed by the Trust as a draft version and it is subject to further ratification within the Trust

1.0 Introduction

This Statement of Common Ground (SoCG) has been prepared by Oxford City Council and Oxford Health NHS Foundation Trust (the Trust), hereafter referred to as ‘the parties’. This SoCG reflects and confirms the current position on matters agreed by both parties with regards to the submission draft Oxford Local Plan 2040. Two representations were submitted on behalf of the Trust, one from Quod (on behalf of the Trust and University of Oxford, specifically in relation to the Warneford Hospital) and the other in relation to Trust’s other sites.

Oxford Health NHS Foundation Trust is an NHS foundation trust that provides physical and mental health trust for people of all ages across Oxfordshire, Buckinghamshire, Swindon, Wiltshire, Bath and North East Somerset. Its services are delivered at community bases, hospitals, clinics and in people's homes.

The Trust’s aim is to improve the health and wellbeing of its patients and families. It works in partnership with a range of organisations including, but not limited, to:

- The University of Oxford to promote innovation in healthcare, support research and to train doctors and psychologists;
- Oxford Brookes University and the University of Bedfordshire to train nurses and allied health professionals;
- Local authorities and voluntary organisations;
- GPs across all the locations served by the Trust in order to provide integrated care.
- Other NHS Trusts within the Buckinghamshire, Oxfordshire and West Berkshire ICB (BOB Integrated Care Board)

With over 5,000 sqm of floor space located across 35 unique, mostly ageing sites in the city, the Trust’s estate is large, inefficient and in urgent need of transformation. It has expanded to reflect the diverse nature of the organisation it serves with its core infrastructure located at The Warneford Hospital (mental health), The Fulbrook Centre (City Community Hospital, within the Churchill Hospital) and Littlemore Mental Health Centre (mental health, forensics and the Trust’s HQ). In addition, there is a significant number of flexible, more specialist assets such as Luther Street Medical Centre (homeless GP service), St. Barnabas Clinic (podiatry) and The Slade Hospital (adult and children’s mental health) dispersed across the whole city along with a large, transient grouping of buildings typically used by community teams and the Trust’s talking therapy services on a more ad-hoc basis.

The SoCG reflects the latest position agreed by the parties and is provided without prejudice to other matters that the parties may wish to raise later in the preparation of the Plan.

2.0 Background

Oxford City Council and the Trust have been working closely together throughout the formulation of the Local Plan 2040. The Trust's representations raised comments on their site allocation policies and a few other policies of the Plan, as follows:

No concerns were raised about legal compliance and Policy H6 was considered sound, but the following policies **were considered unsound**:

- Policy H5 – not justified
- Policy H8 – not justified
- Policy SPE13 – not justified
- Policy SPE14 – not justified
- Policy SPE21 – not justified, not positively prepared

The Trust also submitted the Littlemore Mental Health Centre, Sandford Road as part of the Call for Sites process and would like this to be considered as a site allocation in the Oxford Local Plan 2040.

The parties have met and discussed the points raised. The City Council has made a number of minor modifications and put forward some main modifications. Most of the objections raised by the Trust have been or would be resolved by the changes in whole or in part. The summary of the position in relation to Arc's comments on behalf of the Trust is set out below, with more detail contained in the table in Appendix 1.

Policy H5

The Trust is positive about the principle of Policy H5, but is concerned that:

- Criterion (f) requires an unspecified and potentially unjustified level of control and approval over the employer's affordable housing approach;
- Criterion (g) exerts an unacceptable and unworkable degree of control over assets which are not in the control of the City Council.

The City Council's view is that Policy H5 allows an exceptional approach to affordable housing, to be applied only in exceptional circumstances. The criteria in the policy are necessary in order to ensure that the affordable housing that comes forward via this route is genuinely affordable to staff, and that this policy cannot be applied in a way that bypasses the need for affordable housing. Therefore, the City Council does not suggest any changes are made to the approach. The parties are not, therefore, in agreement regarding this policy.

Without prejudice to the outcome of these discussions, the Trust has suggested that Rectory Centre (SPE21) be referred to in the Policy, as well as Littlemore Mental Health Centre if also allocated following the submission under the Call for Sites. The City Council agrees that this would be a helpful

approach and have suggested a main modification for further consideration in the examination process (see Appendix 1)

Policy H8

Following further discussion and explanation, the Trust is satisfied with the Policy H8 (see further details in Appendix 1).

Policy SPE13: Manzil Way Resource Centre

The Trust suggested the list of uses should be broadened. The City Council agrees with the majority of suggested uses, and a main modification is proposed (see Appendix 1), which would resolve the Trust's objection.

The Trust raised concerns about urban greening and building heights. No changes are proposed in relation to these points, and the Trust's concerns remain (see Appendix 1 for full details).

The Trust indicates the redevelopment of the site should not be restricted to the existing building height and considers there is scope to increase building height to match surrounding building heights along the Cowley Road, whilst respecting the view cone from Crescent Road. A minor wording change is proposed to supporting text in paragraph 8.253 (see Appendix 1 for full details), which overcomes this objection.

SPE14: Slade House

The parties agree that the site represents a good opportunity to redevelop a previously developed site within a sustainable location. The Trust supports the allocation of the site for improved health care facilities, associated administration, and/or residential including employer linked affordable housing. The Trust supports the inclusion of the following sentence: 'Other complementary uses will be considered on their merits'. However, the Trust would like to see the uses broadened to include extra care accommodation; student accommodation; employment uses; and academic institutional and education uses. A modification is proposed, but not to bring in the whole list of uses put forward by the Trust (see Appendix 1 for full details). The modification would overcome some of the Trust's objections on this matter.

The Trust supports the requirement to provide biodiversity mitigation and net gain and broadly supports the protection and enhancement of green infrastructure features, but only where it does not prejudice site layout and design, as well as affect the financial viability of development. No modifications are proposed in relation to this aspect of the policy, and the objection is not resolved.

SPE21 – Rectory Centre

Both parties agree that the site can provide a mixed development of much needed new homes, that are aligned to meeting the housing needs of the city, and that the site can be re-developed to provide high-quality urban design where the siting, massing and design creates an appropriate visual relationship with the built form of the local area.

The Trust supports the allocation of the site for residential development but expressed concerns about the requirement for re-provision of community facilities. The concern and response is outlined in more detail in Appendix 1. The Trust's concern on this matter is resolved.

Although the Trust's preference is to allocate the site for housing, to provide complete flexibility the Trust would like the policy broadened to include the following uses: employer linked affordable housing; extra care accommodation; student accommodation; employment uses; academic institutional and education uses. Trust would also like the inclusion of the following sentence: 'Other complementary uses will be considered on their merits'. Main mods are suggested to incorporate the majority of these, and the Trust agrees that this would overcome their objection (see Appendix 1).

The Trust supports the provision of the green features within the development site, but consider this should only be provided where it does not prejudice site layout and design, as well as site viability. No change is proposed and this objection is not resolved.

The Trust objected to wording suggesting that redevelopment of the site should be restricted to the existing building height. A proposed minor amendment is suggested to the supporting text that the Trust agrees resolves this objection (see Appendix 1)

Omission site: Littlemore Mental Health Centre

The Trust consider a site allocation policy in Chapter 8 would be beneficial for this hospital site. It had not been allocated in the draft plan because the City Council was unaware of the intention to significantly re-develop the site, albeit in the same uses. Whilst the lack of a site allocation policy will not hinder redevelopment, the City Council agrees that a site allocation policy could usefully guide future development of the site, and would be supportive of a main modification.

Signed on behalf of the Oxford Health NHS Foundation Trust



Title: Wayne Heal MRICS (Head of Property Services)

Date: 26/03/2024

Signed on behalf of Oxford City Council



Title: David Butler, Head of Planning and Regulatory Services

Date: 26 March 2024

Policy/paras/section	Summary of Oxfordshire Health Trust comments	City Council response	Proposed modifications	Oxfordshire Health Trust response
H5	<p>Trust have indicated that it is positive that the City Council supports in principle employers' plans to provide subsidised affordable housing for rent for its staff on its own sites and note the reference in the policy to Slade House and Manzil Way Resource Centre. The Trust are however concerned that: Criterion (f) requires an unspecified and potentially unjustified level of control and approval over the employer's affordable housing approach; Criterion (g) exerts an unacceptable and unworkable degree of control over assets which are not in the control of the City Council.</p> <p>The Trust suggest that Rectory Centre (SPE21) be referred to in the Policy, as well as Littlemore Mental Health Centre if also allocated following the submission under the Call for Sites.</p>	<p>The City Council's view is that Policy H5 allows an exceptional approach to affordable housing, to be applied only in exceptional circumstances. The criteria in the policy are necessary in order to ensure that the affordable housing that comes via this route is genuinely affordable to staff, and that this policy cannot be applied in a way that bypasses the need for affordable housing. Therefore, the City Council does not suggest any changes are made to the approach. The parties are not, therefore, in agreement regarding this policy. It's agreed the Littlemore Mental Health Centre, if added as a site allocation as put forward below, should be considered as suitable for employer-linked housing.</p>	<p>The sites identified as appropriate for employer-linked affordable housing are:</p> <ul style="list-style-type: none"> • Campus sites of the colleges of the University of Oxford and of Oxford Brookes University. These are sites with academic accommodation existing at the time of the adoption of the Local Plan, and where academic institutional use would remain on the site, even with the development of some employer-linked housing • Edge of Playing Fields Oxford Academy • Edge of Playing Fields Bayards Hill Primary School • Slade House • Manzil Way Resource Centre • <u>Littlemore Mental Health Centre</u> • Warneford Hospital • West Wellington Square • Osney Mead • John Radcliffe Hospital • Churchill Hospital • Nuffield Orthopaedic Hospital 	

H8	<p>The Trust considers HMOs offer an affordable solution for some individuals as opposed to renting individually or buying a property and recognises high concentrations of HMOs can result in changes to the character of the local area and can contribute to amenity issues and parking issues.</p> <p>The Trust however, consider criterion (a) (relating to the proportion of HMOs in a 100 metre street length) should not apply to the Trust's sites. The Trust requires complete flexibility to provide staff accommodation on its sites and it's considered that criterion (a) as currently drafted could unacceptably limit the supply of new HMO accommodation on the Trust's sites.</p>	<p>In discussion, the City Council confirmed that the Policy H8 does not apply to purpose-built student accommodation or employer-linked housing (in general, unless the are brought forward in that particular way).</p>	No change proposed	<p>Following the explanation, the Trust is satisfied with the Policy H8.</p>
SPE13 (Manzil Way Resource Centre)	<p>Trust supports the inclusion of the following sentence: 'Other complementary uses will be considered on their merits'. However, we would like to see the uses broadened to include: extra care accommodation; student accommodation; employment uses; and, academic institutional and education uses.</p> <p>Trust supports the incorporation of urban greening (including new tree and shrub planting) as part of the development proposals for the site, but this should only be provided where it</p>	<p>The site is within a district centre boundary, and a suitable location for the additional uses put forward by the Trust, and also a location where new employment use can be brought forward according to Policy E1, although it is agreed with the Trust that these uses would be suitable as complementary uses, but not as the principal use of the site. These uses had not previously been included in call for sites information. We agree</p>	<p>Propose Main Modification to Policy SPE13 Planning permission will be granted for improved healthcare facilities, associated administration and/or residential development, including employer-linked affordable housing <u>and/or student accommodation</u>, at the Manzil Way Resource Centre site. Other complementary uses will be considered on their merits,</p>	

	<p>does not prejudice site layout and design, as well as affect site viability. Trust indicates the redevelopment of the site should not be restricted to the existing building height and considers there is scope to increase building height to match surrounding building heights along the Cowley Road, whilst respecting the view cone from Crescent Road.</p>	<p>that these could largely be incorporated into the policy. Extra care accommodation could be brought forward as the residential development and is not separately listed in any of the site allocation policies, but a minor modification to add this to the supporting text has been made for reassurance.</p> <p>In terms of heights, the policy cross-refers to Policy HD9. The supporting text says there should be considerate design of orientation and heights. There is no suggestion that heights should be limited to that of surrounding buildings; however, a wording change is proposed to give reassurance that the wording cannot be interpreted in that way.</p>	<p><u>including employment, academic institutional uses and education uses.</u></p> <p>Minor modification to para 8.252: This site is a suitable site for a healthcare facility or for residential development, <u>which may be, or partially be, in the form of extra-care housing.</u></p> <p>Minor modification to para 8.253: There is potential for the existing buildings, which are fairly modern, to be converted to residential use, or if the site is redeveloped more comprehensively, then the proximity of existing surrounding residential uses will require considerate design of heights and orientation of plots to avoid <u>with consideration of the impacts on overlooking, or overbearing, and or impacts on the View Cone.</u></p>	
SPE14 (Slade House)	<p>The Trust supports the inclusion of the following sentence: 'Other complementary uses will be considered on their merits'. However, Trust would</p>	<p>The Policy allows for residential development, which may include extra care accommodation if that is in</p>	<p>Planning permission will be granted at the Slade House site for improved health-care facilities, associated</p>	

	<p>like to see the uses broadened to include extra care accommodation; student accommodation; employment uses; and academic institutional and education uses</p> <p>Trust supports the protection and enhancement of green infrastructure features, including the protection of existing trees, but this should only be provided where it does not prejudice site layout and design, as well as affect the financial viability of development.</p>	<p>accordance with Policy H13, so there is no need to state it. The site is not in a district centre or the city centre. Student accommodation and additional employment uses in this location would not accord with the spatial strategy of the plan; however, there is existing employment use on the site, and wording in the policy to confirm this may continue could be helpful.</p> <p>G1 response</p>	<p>administration, <u>employment use of no bigger area of the site than currently</u>, and/or residential development, including employer-linked affordable housing. Other complementary uses will be considered on their merits, including <u>academic institutional and education uses.</u></p>	
SPE21 (Rectory Centre)	<p>The Trust supports the allocation of the site for residential development; however, we do not want this to be predicated on the re-provision of services / new floorspace elsewhere within the city (as part of a linked planning permission for example) as this could delay re-development and eventual sale of the site to a developer or Registered Provider. The Trust has a statutory obligation to provide healthcare and it should not be for the planning system, or indeed to the development plan, to enforce this.</p> <p>Although the Trust's preference is to allocate the site for housing, to provide complete flexibility we would like the policy broadened to include the following uses: employer linked</p>	<p>The policy cross-refers to Policy C3, which says: Planning permission will not be granted for development that results in the loss of such facilities unless: • Suitable replacement can be provided on-site, or at a location equally or more accessible by walking, cycling and public transport; or • There are facilities nearby and within the neighbourhood that can be enhanced to ensure none of the local community function and accessibility is lost; or • The proposal is for an alternative community facility for which</p>	<p>Planning permission will be granted <u>at the Rectory Centre site for residential development on this site for improved health-care facilities, associated administration, and/or residential development, which may include student accommodation.</u> The minimum number of residential homes to be delivered is 21. Other complementary uses will be considered on their merits, including <u>academic institutional and education uses.</u></p>	

	<p>affordable housing; extra care accommodation; student accommodation; employment uses; academic institutional and education uses. Trust would also like the inclusion of the following sentence: 'Other complementary uses will be considered on their merits'.</p> <p>Trust supports the provision of the green features within the development site, but this should only be provided where it does not prejudice site layout and design, as well as site viability. From experience the provision of green walls and roofs are costly to deliver and to maintain. If the site is developed by a Registered Provider it is very unlikely they will want to deliver these as part of the proposals for the reasons stated.</p>	<p>there is greater need or demand.</p> <p>Therefore, it would be acceptable according to the policy to consolidate facilities onto one site and there is not requirement for this to be done as a linked planning application, or ahead of the redevelopment of this site, as long as it is demonstrated what plan is in place for their replacement.</p> <p>Agree there should be a flexibility of uses at the site given its location within the district centre, and student accommodation is acceptable in this location.</p> <p>It is agreed restrictions relating to building height should be removed from the policy wording. The intention was not to restrict heights to those of existing and the wording is confusing and misleading.</p> <p>The references to greening on the site are to ensure the requirements of draft Policy G3 are met. That policy has been carefully formulated following</p>	<p>Development of this site would lead to the loss of community healthcare facilities, so these should be re-provided elsewhere, in accordance with Policy C3, which may be through consolidation onto other healthcare sites.</p> <p>Remove sentence from urban design and heritage section of policy as it causes confusion: The existing building height should also be respected and adhered to.</p>	
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		Natural England guidance and tested to ensure it's realistically achievable. The overall approach will be tested through the examination process. We propose no change to this site allocation policy on this matter.		
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