

Statement of Common Ground between Oxford City Council and

Quod on behalf of the Oxford Health NHS Foundation Trust

Submission Draft (Regulation 19) Oxford Local Plan 2040

March 2024

1.0 Introduction

This Statement of Common Ground (SoCG) has been prepared by Oxford City Council and Quod acting on behalf of the Oxford Health NHS Foundation Trust (the Trust) and the University of Oxford, hereafter referred to as 'the parties'. This SoCG reflects and confirms the current position on matters agreed by the parties with regards to the submission draft Oxford Local Plan 2040.

Oxford Health NHS Foundation Trust is an NHS foundation trust that provides physical, mental health and social care 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 Oxford Health NHS Foundation 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:

- 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.

A formal joint venture has been formed between the Oxford Health NHS Foundation Trust who currently own the Warneford site, the University of Oxford and a local charitable Trust to redevelop the Warneford Hospital site. In the near future, with significant funding and permissions in place, the Trust's ambition is that today's 19th century facilities will be transformed into an exceptional new hospital complex at the heart of a globally significant brain health sciences campus – Warneford Park. The Trust's proposals are for Warneford Hospital to become synonymous with world class brain sciences and an unparalleled, state-of-the-art mental health hospital for the 21st century.

The emerging proposals would provide a new NHS mental health hospital, research and development for both University departments and third-parties, and new educational facilities and student accommodation. Collectively the development would create a focus for research and learning into mental health, grouped around a new mental health hospital. The unprecedented juxtaposition of these uses is being designed to create a world class mental health campus. The opportunity to create such a campus is nationally important and warrants strong support in the Local Plan.

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 Oxford Health NHS Foundation Trust have been working closely together throughout the formulation of the Local Plan 2040. In Quod's representation on behalf of the Trust and University of Oxford no concerns were raised about legal compliance, and Policies S1, S2, G1, H3, H9 were considered sound, but the following policies **were considered unsound**:

- Policy SPE8
- Policy E1
- Policy G3
- Policy C8
- Policy H10- unsure if unsound and seeking clarification

3.0 Summary of position in relation to Quod's comments on behalf of the Trust and University of Oxford

Policy SPE8: Warneford Hospital The Trust fully support the allocation of the site, but in their representation at the Regulation 19 stage they put forward some amendments to the policy and supporting text wording. The City Council agrees with most, but not all, of the proposed amendments. The current position of both parties is set out below

Description of site in supporting text:

The Trust put forward some minor factual amendments to the supporting text on page 251 of the Submission Draft. The City Council has agreed to make these changes as minor modifications to the plan to ensure accuracy. The details of the changes are shown in Appendix 1.

Proposed Uses in the Policy:

The Trust support the recognition in the supporting text that a masterplan approach should be taken to address the complexities of the site, and the Trust are in the process of preparing such a masterplan. The Trust also supports the inclusion of a range of complementary uses which can inform the masterplanning process, although they request in their representation that specific reference to research facilities is included within the list of acceptable uses such that the beginning of policy SPE8. The City Council agrees that this amendment would be helpful, and Appendix 1 sets out a proposed Main Modification, which if made would overcome the Trust's objection on this matter.

Open space, nature and flood risk references in the Policy:

The Trust requested in their representation that text currently included in the Oxford Local Plan 2036 in relation to the sports facilities historically on the site be reinstated. The details in Appendix 1 set out the minor modification that has been made, and this overcomes the Trusts' concerns on this matter.

The Trust also requested that the wording in relation to a reduction in surface water is removed. The Trust's view is that the wording as drafted is not necessary and its purpose is not understood and the sensitivity of the Lye Valley SSSI is fully protected and a drainage strategy would be required with any application which would adequately address the management of surface water, SUDs and flood risk. The City Council does not wish to propose a modification to this effect (for reasons set out in Appendix 1), so the Trust's concern remains unresolved.

Urban design and heritage elements of the Policy:

The Trust noted in their representation that the Adopted Local Plan 2036 makes reference to development of 3-4 storeys being likely to be appropriate as part of the redevelopment of Warneford Hospital but that there is no such reference in the draft submission plan. The City Council confirm that there is no change in its consideration of what's appropriate and agree that this could helpfully be reinstated into the text. This would resolve the Trust's objection on this matter. Details are shown in Appendix 1.

The Trust also suggested that the following wording suggesting which parts of the site should be developed first is removed from the policy text, explaining that Buildings in the part of the site the Policy says should be developed first would indeed benefit from redevelopment but the first necessary phase of regeneration of the site is the construction of a new hospital, which can only be constructed on the available land at the 'front' of the site. The City Council agreed that as worded the draft Policy is unhelpful. A main modification to delete this wording from the Policy is proposed (see Appendix 1) and this would overcome the Trust's concerns.

Policy H10

The Trust are pleased to see recognition of the need to plan for the accommodation requirements when considering new build or refurbished academic institutions. The Trust support the policy however, both parties agree that the Policy needs some re-wording so that it is read as intended, and both parties agree that the Main Modification set out in Appendix 1 would overcome the issue.

Policy E1

The Trust welcome the improvements to existing employment sites allowed for by this policy but consider that recognition is needed within the policy of sites that may be allocated for other uses. A minor amendment has been made to Policy E1 for clarity, and that resolves this concern.

Policy G3

The Trust in their representation considered Policy G3 was unclear about whether 'all other forms' of development refers to minor development. A minor modification for clarity has been made (see Appendix 1) and this resolves the Trust's concern on this matter.

Policy C8

In their representation at Regulation 19 the Trust referred back to Policy M3 of the Adopted Local Plan 2036, which states that there would be a presumption that vehicle parking would be kept to the minimum necessary to ensure the successful functioning of the development. The Trust appreciated that this allows for flexibility between non-residential developments and recognises that needs differ for different uses and were concerned this was lost in the drafting of Policy C8. The City Council agree that the wording of Policy C8 could be difficult to interpret and propose a main modification to rectify this. The Trust agree that this wording would overcome their concern on this matter (see Appendix 1)

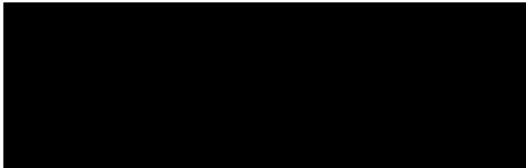
Signed on behalf of the Oxford Health NHS Foundation Trust

...Becky Hartley.....

Title: Senior Planner

Date: 27th March 2024

Signed on behalf of Oxford City Council



David Butler, Head of Planning and Regeneration

Date: 27 March 2024

Policy/paras/section	Summary of Oxfordshire Health Trust comments	City Council response	Proposed modifications
Supporting text policy para 8.225, 8.226	Text should reflect that the main hospital is 2 principal 19 th Century buildings not one and that there is a second access to the site from Warneford lane. Also, text should not refer to open fields. Reference should be to Warneford Meadow not Meadows and there is an extra 'of' in the first line.	Agree this change would be helpful.	<p>Para 8.223 amend reference to one principal 19thC building of the hospital to refer to two principal buildings</p> <p>Roosevelt Drive is main access route into the site. Warneford Lane runs along northern boundary <u>and provides a vehicle and pedestrian access to the west of the Mortuary</u> but there is no access from it. The boundary wall and piers are at least partially covered by the listing so creating additional access points will be difficult to deliver.</p> <p>Para 8.226: The site sits between two green corridors and comprises of <u>open areas</u> fields within which the buildings are set, with several mature trees, lawns and hedges, and a sizable playing field. <u>The loss of the sports facility is considered justified only due to the need for and benefits of new hospital development...</u></p>
	Reinstating the existing Local Plan wording that the 'loss of the sports facility is considered justified only due to the need for and benefits of new hospital development' would remove any uncertainty and be beneficial to public understanding of priorities	Agree this would be helpful clarification.	

	<p>on the site. It is fully acknowledged that mitigation will be required for the loss of the sports facility, but wording should mirror that of the existing Local Plan and reflect that the principle of the loss is justified.</p>		
<p>Policy SPE8 Urban design section</p>	<p>The Trust also suggested that the following wording is removed from the policy text, explaining that Buildings in that part of the site would indeed benefit from redevelopment but the first necessary phase of regeneration of the site is the construction of a new hospital, which can only be constructed on the available land at the 'front' of the site. As worded the draft Policy is unhelpful and its terms are unnecessary.</p> <p><i>"To minimise loss of openness on the site, further development could be focussed in the first instance towards the rear of the hospital block with redevelopment of non-listed poorer quality buildings. The most</i></p>	<p>It is agreed that the Policy wording as written could be overly restrictive of a phasing approach, without sufficient justification given that it will be necessary to utilise land at the 'front' of the site first to prioritise construction of a new hospital.</p>	<p>Delete from Policy SPE8 the following wording:</p> <p><i>"To minimise loss of openness on the site, further development could be focussed in the first instance towards the rear of the hospital block with redevelopment of non-listed poorer quality buildings. The most appropriate approach will incorporate green gaps between buildings of relatively low height and limited scale."</i></p>

	<p>appropriate approach will incorporate green gaps between buildings of relatively low height and limited scale."</p> <p>Paragraph 16 of the NPPF requires plans to "contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals". The wording above does not provide clarity on what will be expected from a development proposal, nor what will or will not be permitted. Suggestions for phasing which are unachievable are not appropriate.</p>		
Policy SPE8 Movement and access section	<p><u>Movement and access</u></p> <p>The Trust supports the flexibility of approach offered by this part of the policy, but suggest a minor amendment to the second part of this section.</p>	The City Council agree with this minor amendment	<p><i>Applicants will be expected to demonstrate how the development mitigates against traffic impacts and maximises opportunities for access to the site by alternative means of transport".</i></p>
Policy SPE8-	Policy should list research facilities as one of the	Agree that this would be an acceptable use, and propose an amendment to	Policy SPE8: Planning permission will be granted for healthcare facilities and related uses at Warneford Hospital, including any of the following complementary uses: • extra

uses section	acceptable complementary uses.	include it as a possible complementary use.	care accommodation • residential development, including employer-linked affordable housing and student accommodation, • <u>hospital and medical research</u> ;• employment uses that have an operational link to the hospital; • additional academic institutional and education uses subject to compliance with relevant local plan policies
Policy SPE8- Natural resources section	<p>The Trust request that the wording in relation to a reduction in surface water is removed. The wording as drafted is not necessary and its purpose is not understood. The sensitivity of the Lye Valley SSSI is fully protected through the first paragraph in this section and there is no need for additional protection here (if that is the purpose of the statement). A drainage strategy would be required with any application which would adequately address the management of surface water, SUDs and flood risk. Therefore, we suggest the following part of the policy is removed:</p> <p><i>“Development proposals should reduce surface water runoff in the area and should be accompanied by an assessment of</i></p>	<p>The Lye Valley is highly sensitive to changes to surface and ground water flows that may occur from new development. The protections for ecological sites addressed within policy G6 (Protecting Oxford’s biodiversity including the ecological network) relates to all the designated sites including the SSSIs (e.g. Lye Valley) and the Oxford Meadows SAC and is intended to ensure development mitigates any potential adverse effects. We specifically highlight the sensitivities for the Lye Valley within supporting text to make the issues of water flows clear for applicants to know they will need to respond to.</p> <p>Background Paper 8: Biodiversity Including Source Pathway Receptor Analysis sets out that all proposals within the catchment involving redevelopment or partial redevelopment of existing sites provide the opportunity to reduce water run-off in the area and that an assessment of groundwater and surface water impacts needed at design stage for all sites.</p> <p>This wording is included in the site allocation policies for all of the sites</p>	No change proposed

	<p>groundwater and surface water. <i>Development proposals must incorporate sustainable drainage with an acceptable management plan.</i></p> <p><i>The Trust also requests</i></p>	<p>within the Lye Valley catchment because it reflects what is needed to meet the requirements of Policy G6 and ensure the SSSI is protected.</p>	
<p>Policy SPE8 Urban design and heritage section</p>	<p>The Adopted Local Plan 2036 makes reference to development of 3-4 storeys being likely to be appropriate as part of the redevelopment of Warneford Hospital. No such wording is included in the Submission Draft Site Allocation.</p> <p>An indication of appropriate building heights is important to the evolution of the masterplan for the site and height of 3-4 storeys is necessary if the Trust's vision for the site is to be realised. This was shown to be necessary and appropriate in our engagement with officers in 2020.</p>	<p>There is no change in consideration of what is likely to be appropriate, there was just a re-wording of the urban design and heritage part of the policy and supporting text. The existing wording from the Local Plan 2036 could helpfully be incorporated into the Local Plan 2040.</p>	<p>Para 8.224: Building heights are relatively low across the site, around 2 to 3 storeys, including the later additions. <u>Development of 3-4 storeys is likely to be appropriate, subject to careful massing, particularly at the boundary of Warneford Meadow.</u></p>
<p>Policy H10</p>	<p>The Trust are pleased to see recognition of the need to plan for the accommodation</p>	<p>The Policy is indeed incorrectly worded. We propose a main modification to rectify it.</p>	<p>University of Oxford Planning permission will only be granted for new/ redeveloped or refurbished academic or administrative accommodation (that generates or facilitates an increase in student numbers) for University of Oxford</p>

	<p>requirements when considering new build or refurbished academic institutions. The Trust support the policy however, the part of the policy relating to the University of Oxford needs to be redrafted for clarity. As written, it is not clear whether the intention is that if, before 2028, the number of students requiring accommodation whose needs are not catered for exceeds 1,300, then no development which generates an increase in student numbers will be permitted.</p>		<p>where the number of full-time taught course students living in Oxford requiring accommodation <u>does not exceeds</u> the level of university owned or managed accommodation by <u>more than</u> the following thresholds at the time of the application:</p> <ul style="list-style-type: none"> • Until the academic year starting in 2028: 1,300 • Academic year starting 2028 onwards to be negotiated based on consideration of the situation at the time. <p>Oxford Brookes University Planning permission will only be granted for new/ redeveloped or refurbished academic or administrative accommodation (that generates or facilitates an increase in students numbers) for Oxford Brookes University where it can be demonstrated that the number of full-time taught course students living in Oxford requiring accommodation <u>does not exceeds</u> the level of university owned or managed accommodation or known purpose-built student accommodation by <u>more than the</u> following thresholds at the time of the application:</p> <ul style="list-style-type: none"> • Until the academic year starting in 2028: 6,900 • Academic year starting 2028 onwards to be negotiated based on consideration the situation at the time.
Policy E1	<p>The Trust welcome the improvements to existing employment sites allowed for by this policy but consider that recognition is needed within the policy of sites that may be allocated for other uses. However, they suggest that</p>	<p>The policy is intended to set out the limited number of locations where new employment-generating uses are acceptable, rather than suggesting that only employment-generating uses are acceptable on Category 1 and 2 employment sites. A modification is proposed for clarity to ensure that such potential confusion is avoided.</p>	<p>E1... Delete 2nd paragraph of policy: Planning permission will only be granted for new employment generating uses within Category 1 and 2 employment sites or within the city and district centres. Replace with the following text: <u>The only locations that are suitable for new employment-generating uses are existing employment sites and city and district centres. Planning permission will not be granted for</u></p>

	<p>recognition is made within the policy of sites that may be allocated for other uses. SPE8, for example, whilst being designated as a Category 1 employment site, is also allocated for alternative uses. The suggested wording for inclusion within the policy is as follows: d</p>		<p>proposals for employment-generating uses outside of these locations.</p>
Policy G3			<p><i>All other forms of development (such as minor 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”.</i></p> <p>...</p>
Policy C8	<p>The supporting text to Policy C8 states that permission may be refused for development where additional parking pressure would compromise highway safety or restrict the ability of existing residents to park (paragraph 7.48). Policy M3 of the Adopted Local</p>	<p>It is agreed that the expectations are not clear from the wording of the policy. Amendments are proposed to clarify the intended approach of the policy.</p>	<p>Amend Policy C8 as follows: <i>“The <u>starting point for any additional vehicle parking provision should</u> presumption will be that vehicle parking <u>it will be for blue badge and servicing only, with a</u> Any additional provision being kept to the minimum necessary to ensure the successful functioning of the development, the need for which should be demonstrated through the submitted Transport Assessment/Travel Plan.”</i></p>

<p>Plan 2020 states that there would be a presumption that vehicle parking would be kept to the minimum necessary to ensure the successful functioning of the development. The Trust supported that policy insofar that it allows for flexibility between non-residential developments and recognises that needs differ for different uses. However, the Submission Draft Policy C8 still includes the former part of the policy but prefaces it with the presumption that any vehicle parking will be for blue badge and servicing only. The Trust does not support the inclusion of the presumption against vehicle parking as a blanket rule. Given the detail provided in the remainder of the policy, such as in relation to the redevelopment of existing sites, or that parking should ensure functionality of the development, it is not considered necessary to</p>		
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include such wording in the policy. w		
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