

Your ref: -  
Our ref: 165  
DD: [REDACTED]  
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Date: 24/05/2024

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Dear Mr Kemp,

Via email - [ian@localplanservices.co.uk](mailto:ian@localplanservices.co.uk)

**OXFORD LOCAL PLAN 2040 EXAMINATION - WRITTEN STATEMENT ON BEHALF OF FIROKA GROUP (REF NO. 165).**

**MATTER 1: PROCEDURAL / LEGAL REQUIREMENTS**

This Written statement has been prepared on behalf of Firoka Group<sup>1</sup>, in respect of Matter 1 of the Oxford Local Plan 2040 Examination.

The Joint Inspectors have noted that the options for the scale and distribution of growth is to be dealt with later in the examination process, however as we note in respect of an assessment of the Council's compliance with the duty to cooperate, these are considerations of such importance that we consider it to go to the heart of the emerging plan's preparation. Particularly when considering paragraph 81 of the NPPF which states that: *"Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation, and in areas where high levels of productivity, which should be able to capitalise on their performance and potential"*. Therefore, we comment as follows.

**Sustainability Appraisal.**

9. Overall, has the methodology for the SA been appropriate?

The Sustainability Appraisal (SA) prepared by Levett-Therivel in September 2022 (CSD.013) fails to adequately assesses development options for the city in respect of its needs. We note it states at 5.6 that *"The Employment Land Needs Assessment shows that there is sufficient employment land available within the plan period across existing employment sites to meet the city's employment needs"*. However, we do not agree with this position.



The Lichfields Oxford City Employment Land Needs Assessment (ELNA) Interim Report (September 2022) sets out a total employment supply to 2040 of 356,000sqm. This includes 50,000sqm of additional space across Oxford Science Park and Oxford Business Park, and 187,000sqm through the regeneration of a number of the West End Sites. However, it is understood from the minor modifications (CSD.008) that the 2023 ELNA update report no longer forms part of the evidence base and that this has been replaced by the Icen HENA. The HENA fails to undertake any assessment of the supply of employment land to 2040. It is, therefore, unclear how the City have arrived at the conclusion that they have a sufficient employment supply to meet demand and what evidence underpins this.

Furthermore, research undertaken by Bidwells LLP (Appendix 1) indicates that additional demand for office and laboratory space alone could total circa 400,000sqm, assuming a 5% growth rate per annum. We consider this to be a modest growth rate in light of government's drive to deliver growth in the UK's life sciences sector, with the aim of turning the UK into a "science superpower". This demand significantly exceeds the total employment needs forecast in the HENA Errata, and the identified supply set out in the ELNA. Bidwells' research, therefore, indicates that demand for employment space will exceed supply in the period to 2040, thereby resulting in unmet need with cross-boundary implications of national importance.

Failing to respond to this need, holds potential to have significant sustainability impacts which the SA has failed to acknowledge. To this end, it is considered that the SA does not satisfactorily consider the options for dealing with this omission.

The Sustainability Appraisal (SA) methodology is therefore not appropriate.

Yours sincerely

**Chris Pattison**  
Partner

**Enclosures** Appendix 1: Reg19 Representations on behalf of Firoka Group

# APPENDIX 1

## REG 19 REPRESENTATIONS ON BEHALF OF FIROKA GROUP

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**FIROKA GROUP**  
**OXFORD LOCAL PLAN**  
**2040: REGULATION 19**

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# Quality Assurance

**Site name:** Oxford Local Plan 2040 – Regulation 19 Consultation

**Client name:** Firoka Group

**Type of report:** Consultation Response

**Prepared by:** Chris Pattison

**Date:** 5<sup>th</sup> January 2024



## 1.0 Introduction

- 1.1 This representation is submitted on behalf of the Firoka Group (“Firoka”) in response to the Oxford Local Plan 2040.
- 1.2 Firoka owns a number of sites identified in the Draft Local Plan in and around the Ozone Leisure Park and Kassam Stadium in South Oxford along the route of the intended Cowley Branch Line. Combined, these sites total nearly 13 Hectares and are as follows:
1. SPS2 – Kassam Stadium and Ozone Leisure Park
  2. SPS3 – Overflow Car Park, Kassam Stadium
  3. The eastern parcel of SPS5 - Oxford Science Park
- 1.3 Firoka is promoting these sites as a single vision and a destination for innovation. Firoka is committed to creating a sustainable mixed-use innovation neighbourhood that enables and optimises collaboration, by bringing people and companies together to create inflection points through design. The new neighbourhood will support the development of Oxford as a Knowledge-led Cluster by providing an outlet for innovation and transformation in productivity. Firoka is joining with delivery experts The Pioneer Group (“Pioneer”) to take the vision forward.

### **About Firoka and Pioneer**

- 1.4 Firoka specialises in property development and investment, with a primary focus on commercial and residential sectors both in the UK and internationally. Firoka’s portfolio of real estate assets includes hotels across the InterContinental Hotels Group, Hilton and Preferred brands, luxury residential developments, and various leisure developments. Firoka is keen to develop a compelling vision for its South Oxford holdings.
- 1.5 Pioneer is a leading developer and operator of life science and high-tech campuses. Pioneer manages over £1 billion of real estate (over 4 million square feet) in 12 leading innovation locations across the UK and Ireland. Pioneer’s campuses offer a range of flexible, specialist laboratories, industrial, office and amenity space to support scientists, technologists, engineers and entrepreneurs on every step of the innovation journey from R&D to manufacturing. Pioneer’s campuses are home to organisations ranging from start-up to multi-national.
- 1.6 Pioneer’s mission is to help life sciences and high-tech businesses thrive in tackling human and planetary health challenges. Pioneer leads the way in integrating the provision of mission-critical real estate, venture building and venture investment.
- 1.7 Pioneer supports companies with access to capital, mentoring, finding customers, hiring talent, choosing the right infrastructure, and much more. It leverages cross-sector collaboration through a wide-ranging events programme, a dedicated online networking platform, and personal introductions to key contacts within its wider eco-system.
- 1.8 OSE is an independent, billion-pound investment company that creates transformational businesses via a unique partnership with the University of Oxford, the world’s #1 research university. Pioneer have an established relationship with OSE to assist in delivering real estate to match the ambition of the University of Oxford’s research output. It is a shared aspiration for Firoka

and Pioneer to realise Oxford Science Enterprises (“OSE”) ambition; ‘to bring Oxford’s best ideas to the world and solve our greatest challenges at unprecedented speed’.

- 1.9 Since its formation in 2015, OSE has raised over £850 million and invested £500m in a core portfolio of around 40 companies spanning three high-growth, high-impact sectors – Life Sciences, Health Tech and Deep Tech. OSE adopts a flexible, long-term investment approach, recognising the path from ground-breaking research to global markets takes time and resilience. Together with the University of Oxford, OSE has helped create a phenomenal science-business ecosystem, increasing investment in university spinouts from an average of £125m per year (2011-2015) to £1.4bn in 2021, while attracting an impressive influx of scientific and management talent from around the world.
- 1.10 Critical to the long-term success of OSE’s companies is the provision of real estate, at scale, that provides accommodation which is fit for purpose and can match the ambition of the University of Oxford’s research output.
- 1.11 In support of OSE’s ambition, Pioneer and Firoka are looking to combine a strategic site with the expertise to create a world-leading mixed-use innovation neighbourhood on the site that will be OSE’s location of choice to create a destination for innovation.
- 1.12 The combined site has many features which mean it is ideally placed to contribute to the twin pressures of finding land for both housing and knowledge intensive employment within Oxford:
- The site totals nearly 13 hectares under one ownership and can be planned comprehensively;
  - Half of the site is immediately available with the other half of the site to be released with the planned relocation of Oxford United Football Club to North Oxford by 2026;
  - The potential arrival of the Cowley Branch Line and a proposed station on the edge of the site at Minchery Farm is a significant opportunity to embed sustainable transport in the site;
  - The distance of the site from the Central Oxford Conservation Area means a strategic approach to building heights can be taken without significant detriment to the setting of the historic core;
  - Although a low-density residential suburb lies to the north, the proposed site allocations are part of a belt of development along the southern edge of the City which is dominated by large scale commercial buildings where there is no clue or reference to the character of any area, let alone Oxford and adjoining suburbs. Firoka have an ambition for the site that is not expressed in the Draft Local Plan with the opportunity to provide character, identity and a sense of place on a strategic site without any of these qualities.
- 1.13 The site is, therefore, a unique opportunity to create a sustainable mixed use innovation neighbourhood which delivers for Oxford centred on the strength of the City as a Knowledge Intensive Cluster.



## 2.0 Key Issues

### The Vision

- 2.1 A full masterplanning team is being appointed to bring forward a long-term vision for the phased redevelopment of the Ozone & Kassam Stadium site. This Masterplan will incorporate successful placemaking qualities from the outset, namely:
- i. **A new Neighbourhood for Oxford:** An integrated 15-minutewalkable district with pedestrian friendly connections and building massing to encourage the curation of a vibrant knowledge economy community;
  - ii. **Sustainability:** Plan for connections to the proposed Cowley Branch Line Station at Minchery Farm to drive a new sustainable neighbourhood for Oxford;
  - iii. **Connectivity:** The site already benefits from good connectivity to the wider City. The Masterplan will connect existing pedestrian links with new active travel routes north into to Oxford, east into Blackbird Leys and west to the Oxford Science Park (OSP);
  - iv. **Density:** Transform a characterless area using key landmarks, height and massing variation to create an identifiable neighbourhood, whilst protecting sensitive edges;
  - v. **Mixed Use:** Create opportunities for medium/high residential development to meet housing needs and for future science employment specific accommodation demand.
  - vi. **Community:** Focus community activity on a series of connected community spaces and facilities, open to the wider community and create a sense of identity;
  - vii. **Green and Blue Infrastructure:** Provide a network of green and blue infrastructure, enhancing and activating spaces along the brook edge improving management of surface water run-off;
  - viii. **Collaboration:** Using design to provide opportunities and inflection points for people and companies to collaborate.
- 2.2 A concept plan illustrating key principles for the site is attached within **Appendix 1**. These are initial principles only that will guide the early stages of the masterplan process. However, the overarching vision set out for the development contrasts with that set out in the Area and Site Allocation Policies of the Draft Local Plan. We are surprised that a bolder approach to the areas along the Cowley Branch Line is not being pursued through the proposed policies.

### South Oxford: A Step-Change

- 2.3 The sub-division of a significant development site in South Oxford under a single ownership next to planned transport infrastructure is to miss a major opportunity for the City, particularly as it struggles to meet housing and employment need. We have set out the potential opportunity above in the creation of a high-density mixed-use innovation neighbourhood. Such an opportunity needs to be explored under the terms of Paragraphs 108 and 109 of the recent National Planning Policy Framework (NPPF), which states that:

*“Transport issues should be considered from the earliest stages of plan-making and development proposals, so that... [inter alia] opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated.*”

*“The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health.”*

- 2.4 The NPPF goes further in requiring Development Plans to make optimum use of sites (paragraph 129a):

*“Plans should contain policies to optimise the use of land in their area and meet as much of the identified need for housing as possible. This will be tested robustly at examination, and should include the use of minimum density standards for city and town centres and other locations that are well served by public transport. These standards should seek a significant uplift in the average density of residential development within these areas, unless it can be shown that there are strong reasons why this would be inappropriate.”*

- 2.5 Although SPS5 is allocated for commercial development in support of the OSP, Sites SPS2 and 3 are primarily allocated for residential purposes but at densities which may be conservative if opportunities for height are not taken.

- 2.6 Although some ‘larger scale development’ is anticipated in the Cowley Branch Line and Littlemore Area of Focus Policy (CBLLAOF) - which is welcome - the guideline appears to be ‘business as usual’ in the context of other decisions across the City. Policy S1 (Spatial Strategy) of the Draft Local Plan seeks to focus new employment development only on existing sites that are already in use, whilst Policy E1 (Employment Strategy) allows for residential uses to compete on employment sites. Both policies understate the potential of the knowledge intensive economy and fails to plan suitably for its growth. This is contrary to paragraph 81 of the NPPF which states that (our emphasis):

*“Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. **Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation, and in areas where high levels of productivity, which should be able to capitalise on their performance and potential**”.*

- 2.7 The potential of Oxford to support an expansion of knowledge intensive employment is clear from the ambition of OSE. More capacity to meet the needs of the Oxford Cluster is required beyond exploiting the residual capacity on existing employment sites.

- 2.8 Policies HD8 (Using Context to Determine Appropriate Density) and HD9 (Views and Building Heights) will militate against any opportunity to create greater density along the Cowley Branch Line. The identified sites have no context and are divorced from the adjoining two-storey sub-urban residential areas to the north and east. Policy HD9 allows for no weighing of harm and its balancing against public benefit, thereby departing from national policy.

- 2.9 The current site allocations fail to plan for the most efficient use of land and a significant opportunity to deliver much needed housing and employment land within the city. There is no sense of a step change in spatial strategy, despite the unique potential of the site and as a consequence of the planned infrastructure within the vicinity.
- 2.10 Indeed, the Draft Local Plan only references the Cowley Branch Line in relation to its impact on existing travel patterns and as a public realm opportunity. New development is mentioned in relation to the Branch Line only from the perspective of making financial contributions to the scheme. Spatial implications are lacking from the opportunities identified in paragraph 8.54 of the Area of Focus which adds no strategic or spatial dimension to the Area of Focus Policy set out at CBLLAOF (Cowley Branch Line and Littlemore Area of Focus).
- 2.11 The draft spatial strategy set out in the Plan is therefore not compliant with the directive set out in the NPPF (as expressed above) and underlines the lack of aspiration in the Local Plan (Paragraph 16b, NPPF – Plan Making). We would argue that in the face of Oxford City Council not able to meet its housing need or more aspirational growth to support the Oxford knowledge cluster, the full potential of these sites should be explored and acknowledged in the Local Plan. This should include more evidence looking at the capacity of distant sites to accommodate greater scale and mass without causing substantial harm to important views. Without this evidence, the Local Plan may not be able to fully justify the quantum of unmet need that adjoining Districts are expected to accommodate.
- 2.12 The capacity of the Firoka South Oxford sites can help meet additional demand for employment and housing need and this should be looked at afresh in support of the Vision and Spatial Strategy. We object to the portrayal of the site as being ‘poor’ in sustainability terms (paragraph 8.70). Though it may not be centrally located, the site already has access to all modes of travel and these could be improved through comprehensive development.

### **Community Infrastructure Levy and Local Plan Viability**

- 2.13 The tests for a successful CIL process are as follows:
- the charging authority has complied with the legislative requirements set out in the Planning Act 2008 and the Community Infrastructure Levy Regulations (as amended);
  - the draft charging schedule is supported by background documents containing appropriate available evidence;
  - the charging authority has undertaken an appropriate level of consultation;
  - the proposed rate or rates are informed by, and consistent with, the evidence on viability across the charging authority’s area; and
  - evidence has been provided that shows the proposed rate or rates would not undermine the deliverability of the plan (see National Planning Policy Framework paragraph 34).

With respect to some of these tests, we find the City Council’s approach not to be evidenced in some key areas.

- 2.14 National guidance requires the development industry to be engaged with in support of assessing viability (paragraph 004 Reference ID: 10-004-20190509). Firoka and Pioneer have not been directly engaged with until now and we would therefore request further engagement so the impacts of the planned increase can be appropriately modelled. The combined holdings of Firoka amount to a single strategic site which should be tested in support of the proposed change.

- 2.15 It is also noted that the supporting Viability Study concludes on page 83 that a high volume of viability testing at the development management stage is likely as a consequence of an ambitious approach to viability testing. This amounts to a recommendation that the current suite of Policies and CIL is used to extract maximum targets or benefits from development until site-specific viability appraisals demonstrate otherwise, or in some cases, delivery fails to come forward at all. This is not in accordance with the guidance for Viability which states the following at paragraph 2:
- “Policy requirements....should be set at a level that takes account of affordable housing and infrastructure needs and allows for the planned types of sites and development to be deliverable, without the need for further viability assessment at the decision making stage.*
- 2.16 Delay in the development management process will also affect the deliverability of the Plan and therefore the proposed change is not in accordance with Paragraph 34 of the NPPF.
- 2.17 We would recommend further testing and engagement with the development industry before the change is submitted for Examination.
- 2.18 In terms of the broader cumulative viability of the Draft Local Plan, we note the Infrastructure Delivery Plan has identified a funding shortfall in respect of transport projects which may directly or indirectly impact on the Cowley Branch Line and Littlemore Area of Focus such as T6, T6a and T19. This underlines the importance of ensuring the spatial strategy and urban capacity is sufficiently aspirational so more development can be accommodated to help support the direct and indirect funding of infrastructure to support the overall Local Plan strategy.

## 3.0 Summary

- 3.1 The Draft Local Plan has not fully considered the strategic opportunity of the South Oxford sites and the potential as advanced by Firoka and Pioneer in support of OSE and the University of Oxford. We are therefore objecting to the following policies and their supporting evidence base, including the Sustainability Appraisal, and would like to see these policies assess the full capacity and plan for a step change in this part of the City:
1. Vision & Strategy
  2. Policy S1: Spatial Strategy
  3. Policy E1: Employment Strategy
  4. Policy HD8: Using Context to Determine Appropriate Density
  5. Policy HD9: Views and Building Heights
  6. Policy CBLLAOF: Cowley Branch Line and Littlemore Area of Focus
  7. SPS2: Kassam Stadium and Ozone Leisure Park
  8. SPS3: Overflow Car Park, Kassam Stadium
  9. Policy SPS5: Oxford Science Park
- 3.2 We also object to Policy C5 (Protection, alteration and provision of cultural venues and visitor attractions) on the basis they should be defined in accordance with the definition of such facilities in paragraph 88d of the NPPF: local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship. Commercial town centre uses such as cinemas and bingo halls should be excluded from this definition.
- 3.3 In support of the Community Infrastructure Levy Consultation, we also object to the increase in the levy pertaining to commercial developments and the associated Local Plan Policy S4.

# APPENDIX 1

## INITIAL PRINCIPLES FOR SPS2, 3 & 5(PART)

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