

Oxford City Council

Response to Inspectors'

Matters

Issues and Questions

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Matter 3:
Housing need
and housing
requirement

Issue: whether the Local Plan has been positively prepared and whether it is justified, effective and consistent with national policy in relation to housing need and the housing requirement

THE HENA AND HOUSING NEED

Question 1: Why does the HENA seek to assess the housing need for Oxfordshire and all of the individual authorities? Is this justified?

1. The HENA seeks to assess the housing need for Oxford City and Cherwell District Councils, to support their local plans. It is for the other district authorities to assess their own housing need, and the HENA does not attempt to set their level of housing need. However, for a number of reasons, to truly and accurately understand first of all the housing need of all of Oxfordshire as an analytical starting point, and this approach is justified as the most accurate way of assessing true housing need at the level of Oxford City Council (as well as Cherwell District Council).

Issues with unadjusted SM

2. In order to assess housing need the options are to use standard method or, as permitted in national government policy and guidance, to use an alternative approach, and the use of an alternative approach must be justified by demonstrating that there are exceptional circumstances.
3. Importantly, the standard method can be run only for a planning authority area. It is based mainly on historical demographic factors for that area, to which the affordability adjustment is applied. Demographic factors in Oxford have been influenced by the historic and ongoing suppression of migration and household formation due to the limited capacity within the tightly drawn boundaries of Oxford itself. This is demonstrated by and reflected in the extreme unaffordability of housing in the city (see HENA Chapter 4, including Table 4.3 and Figure 4.9) and strong commuting into it; which contrasts with much weaker demographic growth than in other Oxfordshire authorities (see HENA Table 3.3) influenced by the land supply constraints.
4. Oxford, as a major international city and economic hub, influences housing matters, including need, in the county with existing strong linkages to other settlements including the market towns, villages and other areas. Oxfordshire is the appropriate housing market area and functional economic market area, reflecting the functional linkages between the city and surrounding districts. Housing need in Oxford is known to be acute

(as demonstrated by the evidence submitted) and this cannot be understood fully if treated in isolation from the surrounding areas.

- Demographic factors in Oxford have been influenced by the historic and ongoing suppression of household formation due to the limited capacity within the tightly drawn boundaries of Oxford itself. This is demonstrated by and reflected in the unaffordability of housing in the city and commuting patterns. The following table highlights the extreme situation in Oxford that has arisen from strong economic growth in a constrained area.

Table 1.1: Contextual data to illustrate and evidence and impacts of strong economic growth in a constrained city

Unaffordable housing	Average housing costs over 12 times average earnings (ONS)
	3,300 on housing waiting list
	High levels of rent (2021 Census) -45.3% own their own home (62.5% nationally) -20.9% social rent (17.1% nationally) 32.2% private rent (20.3% nationally)
Housing inequalities	2019 Indices of deprivation. In the housing affordability, household crowding and homelessness sub-division, 33 (40%) of Oxford's Super Output Areas were in the 20% most deprived nationally
Strong economic growth Commuting	2019 estimate £6.8bn contribution to the national economy
	Job density ratio (jobs to residents 16-64) 1.10 (SE and GB 0.85)
	45,900 people travel in to Oxford to work (2011 Census)
Recruitment and retention	Difficulties reported by major employers including hospital trusts, schools, universities.

SM's affordability uplift is insufficient to remedy the issues in the SM which mean that it does not properly reflect Oxford City's true LHN

- The standard method does include an affordability uplift but this is applied to the (constrained) demographic projection and is capped. Accordingly, applying the affordability uplift to the capped maximum does not remedy the fact that the DM does not provide an adequate basis for understanding the true level of housing need in Oxford City. Households to support the high level of economic growth in Oxford and Oxfordshire are largely formed outside of Oxford. If departing from the standard method is justified, an appropriate methodology must be formulated that will lead to a better understanding of true housing need.

7. The most significant inaccuracy to overcome in departing from the standard method is the historic suppression of household formation and constraints to migration. To continue to rely on the demographic factors for Oxford it would only project forward these suppressed trends and therefore results in an artificially low understanding of housing need, i.e. a figure that does not in fact represent Oxford City Council's true housing need at all. Whilst, ultimately, the limited capacity of Oxford may mean that not factoring in this suppression going forwards will lead to a need greater than the capacity, it is still considered important to understand the full need, because unmet need can then be planned for so that it is located in a way that still helps to meet Oxford's needs, even if it has to be delivered outside of its boundaries. Otherwise, resulting problems that are known and being experienced, such as the unaffordability of housing and commuting levels are not addressed. In addition, the economic growth of the area would also be suppressed or unsustainable commuting patterns result, contrary to national planning policy.

8. The evidence demonstrates that Oxfordshire's economy is extremely important to the national economy. Oxford is a key part of this, but it is part of the wider economic network and system, rather than being self-contained and isolated. The knowledge economy present in Oxfordshire may have arisen because of the presence of the universities within Oxford, however, the influence is Oxfordshire wide, with spin-offs from the university and businesses attracted by the highly skilled workforce locating across the county, and particularly in the knowledge spine, which extends across the county. To gain an accurate and realistic understanding of housing needs arising from this continued economic growth and that needed to support the economy it is therefore necessary assess the housing need for the whole of Oxfordshire, not just Oxford (or indeed Cherwell) separately.

The HENA methodology is designed to overcome the issues with SM

9. Use of the standard method projects forward very significantly constrained demographic growth, with its consequential negative impacts. The HENA seeks to identify a methodology to enable an appropriate assessment of housing need. Oxfordshire is considered to operate as a housing market area, with specific and notable influences. The concept remains important as identified in the PPG on Plan Making. Previous calculations of housing need over the last decade have defined Oxfordshire as a housing market area, and this has been accepted (i.e. the SHMA 2014, which was the basis for the last round of local plans including the Oxford Local Plan 2036). As part of the Oxfordshire Plan work an OGNA was agreed by all districts and published. This looked at housing need across Oxfordshire. The intention was then to distribute this

based on a spatial strategy. Whilst work on the Oxfordshire Plan was terminated, that does not mean that the factors relevant to assessing housing need suddenly also become contained within each district. That approach would be incompatible to the evidence gathered as part of previous local plans, the Joint Oxfordshire Plan and the Oxford Local Plan 2040.

10. The OGNA evidence indicates that whilst there is commuting into and out of Oxfordshire, this has also been increasing as a result of housing delivery and workforce growth falling short of economic growth. Oxfordshire currently has a net commuting inflow of 20,500 people as observed in the 2021 OGNA; this is nevertheless more limited than commuting into Oxford, which is 45,900. It is well understood that people move across and between districts of Oxfordshire and do not run their lives solely within the tightly drawn boundaries of Oxford. Indeed, they also move across the less tightly drawn boundaries of the other districts but do tend to live and work within Oxfordshire. Although Covid-19 patterns of working from home were reflected in the most recent Census data, the 2011 Census observed that 16,000 employed Oxford residents (23%) travelled out of the district to work, compared with 45,900 travelling in. Whilst there is movement across the boundaries of Oxfordshire, the most notable feature of the economic area is an economy focussed on Oxford with existing strong nodes of economic activity spread across the county. People move across and between these areas for living, working, leisure and services.

Question 2: How does the HENA arrive at the four scenarios for housing need? What evidence sources and assumptions are used? Are these appropriate and justified?

11. The starting point for the HENA was the Oxfordshire Growth Needs Assessment (OGNA) 2021 (GRO.014). This was commissioned by all of the Oxfordshire authorities to ensure there was appropriate and locally specific analysis of the growth needs for Oxfordshire to inform the Oxfordshire Plan (para 11, 12 OGNA Brief (GRO.015). Exceptional circumstances may be identified which justify an alternative approach to assessing need, which should also reflect current and future demographic needs and market signals. Following on from the publication of the OGNA, the results of the 2021 Census began to be published and clarified that the population estimates used in the standard method were demonstrably inaccurate in Oxfordshire.
12. The aim of the OGNA was to identify numerical scenarios for sustainable housing and economic growth needs in Oxfordshire based on consideration of key drivers including the housing market, demography and the economy (GRO.015). The OGNA Brief (GRO.015) asked the consultants, as a starting point, to advise on appropriate models

and a proportionate evidence base (para 22), recognising that there are well known key factors in the Oxfordshire market such as extreme unaffordability of housing, the connectivity of the area and the strength of its economy. A bespoke approach was required that developed an effective understanding of long-term housing need and did not simply project forward existing patterns of growth.

13. Due to delays to the Oxfordshire Plan, an update of the OGNA was commissioned (in the Spring of 2022) to ensure the most up-to-date data was used. However, the Oxfordshire authorities were unable to come to a common agreement on the methodology and the decision was taken to end the Oxfordshire Plan project in August 2022. When the development of the Oxfordshire Plan ceased, the OGNA update work was also discontinued.
14. In the changed circumstances, Cherwell District and Oxford City Council determined to progress the housing need evidence to support the timely delivery of their Local Plans. Other authorities were also invited to participate. Both authorities considered that the circumstances justifying a bespoke approach to assessing housing need in Oxfordshire still existed, and that the OGNA approach was broadly suitable for use to determine the housing needs of those two districts.
15. As such, the HENA (in Part 7) reviewed and updated the OGNA growth scenarios. The evidence in the OGNA showed that Oxfordshire's 'economic dynamism' was a key driver of housing need and that land supply constraints in Oxford in particular meant that a trend-based approach at district level was not appropriate. The rationale of the OGNA approach was to assess housing need from different perspectives, capturing influences from demographic trends, market signals and the affordability position as well as economic performance. It found that employment growth had been running ahead of housing delivery in Oxfordshire, resulting in a growing surplus in the total number of workers compared to workers resident in Oxfordshire, with consequential increases of in-commuting and deteriorating housing affordability. This was indicative of an objective need for housing arising within Oxford City that would not be reflected by simply projecting forwards past demographic trends, because those demographic trends were based on an undersupply of housing relative to employment growth.
16. The HENA, in seeking to ensure the evidence was as up to date as possible, gave careful consideration to how the scenarios would be updated for 2022, having regard to whether assessing housing need in the context of economic and demographic driven estimates was still appropriate, whether the specifications of each scenario were still

appropriate (particularly in the context of feedback to the published 2021 OGNA) and what updates could be made to the scenarios. Given the buoyant economy, therefore, it was considered relevant and appropriate for the HENA to continue the approach of assessing need from both economic and demographic standpoints. The scenarios were reviewed and refreshed to ensure they take account of latest data and economic circumstances. The table below shows the OGNA scenarios as they compare to the HENA scenarios eventually decided on. The text following the table explains how the HENA scenarios were derived.

Table 2.1: Comparison of HENA and OGNA scenarios

OGNA Scenario	Equivalent HENA Scenario
Standard Method Adjusted	Standard Method
	Census-adjusted Standard Method
Business as Usual	CE Baseline
Transformational	Economic development led

The standard method scenario

17. The NPPF says that the outcome of the standard method is an advisory starting-point for establishing a housing requirement. The first scenario used the Government’s standard method (SM), based on 2014-based household projections, is in accordance with the NPPF guidance (although applied to the whole of Oxfordshire).

Census-adjusted standard method

18. The OGNA had developed a bespoke demographic scenario because of identified issues (see chapter 2 of GRO.014) with demographic data, for Oxford in particular, where past population growth appeared to have been over-estimated (section 7.3 of OGNA). The release of the new census data confirmed the concerns with the accuracy of the data, showing Oxfordshire population to be 18,700 persons higher than indicated by the 2014-based projections (HENA Table 3.6) and provided an opportunity to develop a new scenario that makes a more robust assessment of recent population trends and projections, based on the 2021 Census data, to which the affordability adjustment was applied to provide an accurate picture. This was the second demographic-based scenario, the Census-adjusted scenario (CA).

CE baseline scenario

19. The OGNA also looked at two economic-led scenarios, reflecting the importance of Oxfordshire’s economy in influencing housing need in the sense that there is an intrinsic link between the creation of jobs in Oxfordshire and the creation of housing need in

Oxfordshire. One of these was the business-as-usual scenario and the other the transformational scenario (based on the Local Industrial Strategy (LIS)). The 2021 OGNA used a medium-term growth trend for Oxfordshire in combination with the Cambridge Econometrics (CE) forecasts used in the 2014 SHMA, used to reflect the area's clear outperformance in the decade from 2008. Consultation responses raised questions about this level of outperformance being sustained and as such in the HENA it is noted that the factors that lead to strong economic performance in the local economy, such as access to high skill labour markets, high rates of innovation that tend to remain and support on-going economic growth. However, since that time the global financial crisis, the Covid-19 pandemic and energy and inflation crisis associated with the Ukraine war had resulted in a slight economic downturn. For this reason, and because of the unpredictability of the recovery, new 2022 CE projections of economic growth for Oxfordshire were used, which while accounting for the county's strong past performance, also reflect those economic uncertainties. This is described as the Cambridge Econometrics Baseline (CE-B).

Economic-development led scenario

20. The OGNA transformational economic growth scenario reflected the economic development aspirations of the LIS. It was still considered in the HENA to be a valid exercise to assess the needs of a growth focussed development strategy. However, it was also recognised that plans or projects that inform this scenario should be achievable. The more recent Local Investment Plan (LIP) that followed the LIS, rather than citing a goal of doubling Oxfordshire's GVA by 2040, set a goal to add £1.2bn to Oxfordshire's annual GVA by 2030 (an increase of around £12bn by 2040). The LIP reflects the likelihood that investment projects have had, and are likely to have, national and international investment, but reduces the scale of ambition slightly. The LIP evidence is reflected in the economic development-led scenario (ED).
21. In conclusion, therefore, it has been demonstrated the development of the housing needs scenarios aligns with and updates those in the OGNA and is based on data that shows the economy of Oxford has consistently outgrown the delivery of housing and that this causes a wide range of acute issues, including those of housing affordability and commuting. The scenarios present a range of possible options, bookended by the minimum presented by the standard method, to the maximum growth likely achievable as set out in the LEP's Investment Plan. The standard method scenario represents a baseline minimal level of housing need but builds in constraints on demographic growth and is therefore inconsistent with national policy, but the other scenarios attempt to understand Oxford's real housing need (rather than simply projecting forward past

levels of housing growth). The basic inputs to the scenarios (other than SM) are the 2021 Census, the LEP's Investment Plan and Cambridge Econometrics' economic model, tailored to Oxford and Oxfordshire. These are robust and tried-and tested data sources. There are of course a number of other technical assumptions made in the data and methodology of the HENA. Whilst there have been criticisms aimed at the approach, every care has been taken to review published responses to check whether critical issues with the methodology or process of the HENA have been identified, and advice has been sought from the HENA consultants. Ultimately we do not believe they have demonstrated that we erred from following a sound approach. This answer does not detail every assumption used in the HENA, but the key criticisms of the assumptions set out in South Oxfordshire and Vale of White Horse District Councils' Regulation 19 response (by ORS) are summarised and responded to in the Consultation Statement (CSD.003, Appendix 4, response to H1, page 97). The four scenarios in the HENA use up-to-date demographic data and economic modelling and are a justified and appropriate response to assessing housing need of a high-growth economic area with significant constraints to growth, as Oxford is.

Question 3: What is the basis for choosing the CE Baseline scenario and departing from the standard method scenario? Is this justified?

22. The City Council considered it was important to fully investigate alternative methods of calculating housing need to ensure that the true need was established, given the circumstances that have existed in Oxfordshire over time that have previously justified alternative approaches, and which remain relevant.
23. The Council would highlight that the appropriateness of departing from the standard method in Oxford was considered through the Examination of the Oxford Local Plan 2036. The Inspector (in 2020, DPL.006) found that Oxford was the least affordability city in Britain, there had been a significant long-term deterioration in affordability, and this was having a significant impact on the ability of residents to access suitable housing, constrained economic growth and did not encourage sustainable patterns of movement. He found that housing need at 1,400 dpa was well above the standard method (746 dpa).
24. A departure from the standard method is allowed for by the NPPF if it can be justified by there being exceptional circumstances. The NPPF does not set out what these exceptional circumstances may be, so it is left to the Local Planning Authority to consider whether they exist and if so to evidence what they are. There are a number of reasons that the evidence continues to indicate the standard method is not likely to be

an accurate or appropriate methodology for identifying housing need in Oxford, and those reasons represent the exceptional circumstances that justify a departure and alternative approach to assessing housing need.

25. Background Paper 1 (BGP.001) sets out in detail the NPPF and NPPG background, why a departure to the standard method was considered, and what the exceptional circumstances are. The evidence indicating attention should be given to whether the standard method is appropriate is explained in Background Paper 1. It is evidenced as being essential due to the acute housing issues in Oxford that need to be addressed. The potential negative impacts of underestimating housing need are significant, including that the housing crisis in Oxford is not addressed, thus exacerbating inequalities and that the strong economy and local services are affected as staff cannot be attracted or retained and that long commutes to work continue and worsen. Indeed, the issues attributed to the housing crisis are not limited to these key issues, as demonstrated by the evidence base for the Local Plan 2040.
26. Moreover, with regards to exceptional circumstances, BGP.001 sets out the principal factors for using an alternative method of calculating housing need to the standard method. In summary, these include:
 1. That the 2021 Census data shows that the 2014-based demographic projections are inaccurate in Oxford.
 2. The historic suppression of migration and household formation is evident in the demographic data and wider evidence.
 3. Affordability issues, including the scale of affordable housing need and high levels of in-commuting which means that the affordability uplift in the standard method is insufficient.
 4. Economic growth, including that sustained in Oxford, is not well factored into the standard method.
27. The Housing Need Consultation document (PCD.046 Regulation 18 part 2, 13th February-27th March 2023) summarised the scenarios considered for calculating housing need. Four different scenarios were considered in the HENA. All of the scenarios assessed the need for Oxfordshire as a whole in the first instance for the reasons explained in response to question 2.
28. Because of the constraints on historical demographic growth in Oxford, and the misalignment of demographic trends with the wider evidence of housing needs, the

HENA considered first the scenarios for housing provision at an Oxfordshire level; and then what proportion of this might be attributed to Oxford (which are considered in the response to the next question).

29. The scenarios considered were as follows:

1. The standard method
2. The census-adjusted standard method.
3. The Cambridge Econometrics baseline trend scenario.
4. The economic development-led scenario.

These are set out in more detail paragraphs 6.3-6.6 of BGP.001 and in the HENA (HEA.001).

30. To summarise, the first two scenarios assess housing need based on anticipated additional population and formation of households, with affordability considerations also factored in. The second two, economy-based scenarios, consider how many additional jobs may be created, and from this the population needing homes is estimated, and from that the number of additional households and therefore homes required is calculated. Scenario 1 (standard method) was not selected as the most appropriate method as data collected indicates that circumstances exist in Oxford (and indeed Oxfordshire) that strongly, and exceptionally, support an alternative approach.

31. Scenario 2 (census adjusted method), uses up-to-date demographic data from the Census that when combined with the fact it first looks at the whole of Oxfordshire, helps overcome issues with the Standard Method projecting forward historic suppression of demographic growth. The outcome of this scenario was close to the outcome of scenario 3 (economic development-led), which demonstrates the robustness of these scenarios. However, it was not selected as the most appropriate because one of the justifications for departing from the standard method demographic scenario is that it does not directly account for economic needs, which is an important driver of the housing market. As a result of Oxford and Oxfordshire's position at the heart of a successful economic area with a growing economy, this must be supported by appropriate and adequate assumptions about the number of homes needed to support the economy.

32. Scenario 3 (Cambridge Econometrics) was chosen because it assesses the number of homes needed to support the realistic expectation of economic growth. Overall, this

scenario accounts for the economic factors that have previously led to strong economic past performance, which generally will be expected to remain strong and support ongoing high levels of growth, such as the highly skilled labour market, high rates of innovation and investments. The scenario uses CE's model to forecast jobs growth by applying the 2022 updated projection of economic growth for Oxfordshire. It looks at the performance of a very broad range of economic sectors and makes individual forecasts for each of these, which is then aggregated. The 2022 projections, whilst accounting for Oxfordshire's strong past performance, also reflects the negative GDP shock of the Covid-19 pandemic, as well as the economic uncertainties surrounding 'Brexit' and more recent demographic trends and evidence more generally.

33. The economic-development-led scenario (scenario 4) includes an objective to estimate and understand the development needs associated with Oxfordshire's economic development goals and projects set out in the Oxfordshire Local Enterprise Partnership (OxLEP) Investment Plan. These projects are important to Oxfordshire and of national significance and value. However, there are potential downside risks to economic growth, and it remains possible that macro-economic events and funding constraints may slow projects down or lead to some not progressing. Having regard to the current economic uncertainties, this scenario is not considered to be the most appropriate housing need scenario.
34. Ultimately, though, a level of economic growth is expected to happen (based on the OGNA evidence looking back to 2011), and indeed is a notable feature of the well-performing Oxfordshire economy, and the council must react to it through soundly based forward planning. If the housing need is calculated using the standard method, this will not deliver the homes needed to support and align with this economic growth, or respond to the influence of historical constrains or the affordable housing needs evidence. This will have further negative consequences that further reiterate the need to use the Cambridge Econometrics scenario 3. Either the economic growth will also be suppressed, fewer jobs will be provided, and the economy will be harmed, or the consequences of a growing economy that is not matched by housing growth will be exacerbated. This includes growing housing inequalities, affordability issues and ever-increasing commuting distances, for example. As described above, the chosen scenario reflects the current situation demonstrated by the evidence, which is a justified approach.

Question 4: What is the basis for choosing the apportionment between authorities based on the distribution of forecast jobs? Is this justified?

35. The basis for choosing the apportionment between authorities based on the distribution of forecast jobs is multifaceted. Originally the approach that was agreed was that housing need would be assessed across the county and housing requirement figures established for each district using the Oxfordshire Plan 2050 process. However, following the disbandment of the Oxfordshire Plan, in the absence of a spatial strategy, there are a limited number of ways housing need for Oxford could be assessed and distributed. The evidence considered in detail in the Housing Need Consultation document (PCD.046), which was published in respect of the Regulation 18 Part 2 consultation (13th February-27th March 2023) is particularly pertinent in this regard.
36. The document published for consultation makes clear that the evidence indicates housing need must be calculated for Oxfordshire and it is not possible to calculate Oxford's housing need in isolation from surrounding geographical areas. This is because Oxfordshire operates as a marked housing market area and therefore housing in Oxford is not separate or quarantined from the interconnected wider economic area. Moreover, Oxford itself is also highly constrained and, therefore, considering housing in Oxford in isolation, for instance based on Oxford-specific trends, is also not appropriate as it cannot provide an appropriate or accurate understanding of housing need. Also, partly as a response to the collapse of joint working on the Oxfordshire Plan 2050 and lack of agreement about diverting from the Standard Method, it became clear that the housing need could not be assessed or apportioned in the same way as the previous local plans.
37. As a result, it was agreed with Cherwell District Council that the objective to understand the housing market area would be retained and to continue working on a jointly commissioned HENA. As such, the objective was to utilise an appropriate strategic methodology to calculate the housing needs of Oxfordshire and then start to distribute it in a way that reflects the level of housing need in Oxford and Cherwell as commissioning authorities. As described above, it would not be possible to assess housing need in these two districts in isolation, as they exist within a wider housing market and interconnected economic area. There is no attempt in the HENA to set the housing need for West Oxfordshire, South Oxfordshire and Vale of White Horse District Councils, who will calculate their own housing needs separately using their own proposed methodologies.
38. The intention of the housing need distribution is to reflect the true housing need arising in Cherwell and Oxford, in order to establish their need to inform the preparation of the relevant local plans. Therefore, in seeking to select an appropriate methodology for

assessing housing needs, the HENA considered 3 principal means of distribution. The first of these was to distribute solely by 2014-based standard method. However, due to the local area effects regarding suppressed population growth and household formation identified in the evidence, it is not considered appropriate to use the standard method as a basis for distributing housing across the functional economic market area (FEMA). This is especially the case given Oxford's role as the county's main economic node and driver of the economy with the affordability issues this brings, set against its constrained land supply and consequential weak demographic growth. The evidence also demonstrates the standard method does not reflect accurately where the need is arising from, nor does it accurately reflect future patterns of population change, housing need, nor expected economic growth. Using standard method for district housing distribution across a FEMA results in houses being allocated to the same districts they were built in previously, and fewer where fewer have been delivered previously. As such, homes are not distributed with reference to where the centres of employment might be, raising the prospect of unsustainable development.

39. An approach much more reflective of where real need is generated is to distribute homes based on the distribution of employment, so that the proportion of job opportunities in each district is accurately reflected in the distribution of new housing in a planned and coherent way. Over the plan period, the projection shows a greater concentration of job opportunities being created in Oxford and Cherwell and a lower concentration to South Oxfordshire, the Vale of White Horse and West Oxfordshire District Councils. Because the distribution of jobs is expected to change over time, there is a need to consider whether to apply the current distribution of jobs or the projected distribution of jobs at the end of the period (2040) as the means of assisting in planning for residential development. The HENA recommends distribution according to the 2040 employment-led distribution, stating: 'the assumption of a static distribution through the plan period does not reflect the dynamic nature of the labour market and geography of expected employment growth. Specifically, it does not account for the baseline forecast that Oxford and Cherwell are set to further develop as the drivers of the wider FEMA economy... As such, the employment led distributions represent the more appropriate approach of those considered for distributing the FEMA's housing need, given that the geography of employment growth will influence that of housing need, the link to balancing the provision of homes and jobs, and the associated sustainability benefits. Furthermore, given the need for Local Plans to plan for the period to 2040, it makes sense, when using an employment-based distribution of housing, to select the distribution based on where the jobs are expected to be at the end of the plan period,

rather than the beginning. This recognises the role which the geography of future job creation will have on that for housing need.’ (HENA para 7.6.12-7.6.13 HEA.001)

40. The table below shows that the standard method flattens out and suppresses unevenly the need and does not reflect the levels of difference between the districts in terms of where jobs are expected and therefore where the housing need is generated. This is particularly the case for West Oxfordshire, where the proportion of jobs growth expected is significantly below the proportion of homes according to the standard method, and Oxford, which shows the complete opposite pattern. The approach adopted is considered appropriate in responding to where the need arises, and to supporting the NPPF aspirations around sustainability, including congestion, emissions and net zero aspirations through reducing the need to travel.

Table 4.1: Comparison of need based on each distribution method in the HENA

District	Standard Method proportion %	Annualised need based on SM distribution of CE baseline need	2020 jobs proportion %	Annualised need based on 2020 jobs distribution of CE baseline need	2040 jobs proportion %	Annualised need based on 2040 jobs distribution of CE baseline need
Cherwell	21.9	965	21.5	949	22.9	1,009
Oxford	22.5	991	26.7	1,179	30	1,322
South Oxon	18.9	834	19.5	857	18	793
Vale of White Horse	19.5	860	18.5	817	16.2	714
West Oxon	17.2	757	13.8	607	12.8	564

Question 5: What are the objectives of identifying a housing need of 1,322 homes per annum (26,440 over the plan period) for Oxford City and what are the intended outcomes?

41. The objective when undertaking the HENA was to identify as accurately as possible the true level of housing need that exists, in accordance with the requirements of the NPPF. Indeed, there is a requirement to ensure that housing need is assessed on an unconstrained basis, is fully understood and that this informs the preparation of the Local Plan, which should seek to meet these needs.

42. The Oxford Local Plan 2040 has been prepared within that context, having regard to what is being demonstrated in the evidence base. Calculating need by alternative methods than the standard method leads to a higher level of assessed housing need, because standard method underestimates need in Oxford. However, other Oxfordshire

authorities are already making significant contributions to meeting unmet needs over the plan period through their existing local plans. There are a number of positive outcomes to be expected from fully understanding housing need, or a number of negative potential consequences of accepting the lower level of housing need from the standard method.

43. These potential outcomes are best highlighted by considering the negative impacts of the housing crisis in Oxford, which will not be addressed unless an attempt is made to deliver enough homes to meet the need. The evidence indicates a substantial housing need and also an affordability crisis in Oxford, which is exacerbated by the lack of availability of homes, and the lack of affordable homes. This leads to and compounds further housing inequalities, most notably evidenced by the acute need for affordable housing which the HENA quantifies as 740 homes a year. Furthermore, the less housing need is planned for where it arises, the more people will be required to travel further to their chosen places of work and when accessing the facilities and services they need.
44. Moreover, if there is not enough housing, the economy will also not be supported as employers will not be able to attract or retain staff. Oxford has a large number of opportunities for skilled employment, with a strong knowledge economy including internationally important research and development. These are in vital industries including for example in healthcare, life sciences, and renewable energy technologies. It is the focus of many facilities and services, many of which overlap with the knowledge economy, for example with the education institutions and the renowned hospitals which must be supported.
45. Importantly, understanding housing need is only part of the picture in terms of ensuring the Local Plan 2040 plans for appropriate development in Oxford within the plan period. The constrained nature of the city (which itself makes calculating housing need accurately by use of the standard method inaccurate) the constraints mean that housing need cannot be met or planned for within the city itself to any greater extent than that identified in the Local Plan 2040. Whilst this means there is identified unmet need, this is not an intended final output of the exercise; identifying need and unmet need is essential to ensuring the negative outcomes of not meeting housing need at all or close to where it arises are avoided, reduced or mitigated as far as possible.
46. Therefore, it is demonstrated that accurately understanding the level of housing need arising is essential in achieving positive outcomes through setting objectives for development and preparing soundly based and justified policies of the Development

Plan. Planning for the absolute minimum of housing need permissible through the standard method (despite evidence of a much greater housing need) would be irresponsible and would not deal with the known housing need. It would also not meet the objectives of the Local Plan. The detrimental consequences of such a position would be significant as it would not provide a positive vision for the future of the area nor help achieve sustainable development as required by national planning policy. The main objective in assessing housing need through the HENA was to comply with national policy in terms of complying with national policy and developing a spatial strategy based on that understanding, achieving in particular the following outcomes in line with the NPPF:

- Addressing the housing crisis (NPPF para 60, 61)
- Underpinning economic growth (NPPF paragraph 85)
- Reducing commuting distances and therefore emissions (NPPF paragraphs 108-110).

CAPACITY WITHIN OXFORD CITY AND THE RESULTANT HOUSING REQUIREMENT

Question 6: How has the capacity to accommodate housing within Oxford City been assessed? Has the process been sufficiently thorough and robust? Could the capacity estimate be increased by altering assumptions or policy approaches? If so, what effect would this have?

How the capacity has been assessed?

47. The capacity of Oxford to accommodate housing is assessed in the Oxford Housing and Economic Land Availability Assessment (HELAA) (HEA.003). Preceding the 2023 update, an interim HELAA was published in 2022, and prior to that in 2019. The 2022 Interim HELAA was published alongside the Regulation 18 Part 1 consultation. It updated the base date of the assessment from 2016 to 2020, to align with the Local Plan 2040 plan period 2020-2040, as well as any necessary updates to sites information at that time.
48. The 2023 HELAA (HEA.003) was published alongside the Regulation 19 consultation. It further updates landowner intentions, planning status, call for sites information and other evidence such as updating the windfall assumption to take account of latest completions data at that time (September 2023). The 2023 HELAA is supported by an addendum, produced in March 2024 (HEA.004) and published at submission. The Addendum focuses only on issues and sites where new or updated information was received in representations at the Regulation 19 stage. It also captures information related to planning consents and commencements in the period between the 2023 HELAA (published at Regulation 19) and the Submission of the Plan, to ensure that the

site delivery information is as up to date as possible for the examination, because the HELAA is a 'snapshot' of capacity based on information at that time. The Addendum does not replace the 2023 HELAA but is intended to supplement it.

49. The HELAA is in accordance with the methodology set out in the Planning Practice Guidance (PPG) and also aligns with the Oxfordshire Joint HELAA methodology developed and agreed by Oxford City, the four District Councils in Oxfordshire and the former Oxfordshire Plan 2050 team in 2021 (HEA.005). Also see response Matter 2, Question 7 about the preparation of the HELAA. The Joint Method helps to ensure a similar approach and assumptions in the district HELAAs, resulting in a more consistent picture of land availability across Oxfordshire as well as a clear understanding between the authorities about the approach and key assumptions. The jointly agreed method recognises that it is appropriate to retain some variation in approaches to ensure a thorough and robust local process and to take account of local circumstances, in particular acknowledging that land availability in Oxford is more constrained compared to the more rural authorities (see Matter 2, Question 7 for more detailed explanation of the variations). Although work on the Oxfordshire Plan 2050 has since ceased, this methodology is valuable as it demonstrates a clear understanding between authorities and that the approach taken in Oxford is consistent and agreed with officers across Oxfordshire.

Capacity Assumptions and could the capacity be increased?

50. With specific reference to the capacity assumptions in the HELAA, the capacity calculations for sites are shown in Table B (HEA.004 is the most recent iteration). The process and assumptions are set out in section 2.2 of the HELAA (HEA.003) and supplementary explanation in HEA.004.
51. A significant consideration about the capacity calculations, is that a substantial amount of the identified supply of capacity is already fixed, because sites have been built out since the start of the Plan period (2020) and many others are already under construction. The capacity estimate for these sites cannot be increased by altering assumptions or policy approaches. This can be summarised here as follows:
- There are 79 sites in Table B (HEA.004) which sets out the capacity from identified sites. It is significant that 30 of these 79 sites in Table B have either already been completed within the Plan period (since 2020) or are under construction (as at March 2024). This means the capacity assumption for those sites (totalling 2,380 homes) is already 'locked in', so any speculation about

capacity assumptions or policy approaches is irrelevant to those sites and that proportion of the identified capacity of Oxford.

- A further 13 sites have an extant permission (or a resolution to grant permission subject to S106) but have not yet commenced construction (capacity 1,358 homes). The planning permissions provide site-specific evidence of a realistic and deliverable capacity for that site, reflects current landowner intentions, viability, and has been concluded as appropriate development for that site by the planning authority: as such it would not be reasonable to try to apply a theoretical assumption about capacity in the HELAA because there would be little evidence that it would/could be delivered compared to the figure in the extant planning permission. Arguably the capacity estimate of those is also reasonably fixed, but as they have not yet commenced construction they are included in this commentary.
- Of the residential sites in Table B which don't have planning permission, all but one site (ie 35 sites / 2863 capacity) have a site allocation policy in LP2040 so have been subject to detailed site-specific testing of capacity. The process for identifying capacity assumptions in the site allocation policies, is explained further in The Site Assessment Process (Urban Design and Assessment of Housing Capacity) background paper (BGP.015a), including site assessment (incorporating Sustainability Appraisal) proformas and site-specific urban design assessments. The policy approach for each of these sites is explained in the supporting text for the site allocation.

52. In developing the site allocation policies, landowners were engaged with to test the capacity assessments of sites and deliverability. The site allocation figures were also informed by site-specific urban design assessments, which considered site constraints and opportunities in more detail to ensure the assumptions are based on the most up to date evidence for each site. All the key conclusions from the Urban Design Assessments and decision-making related to capacity/minimum residential figure, is then explained in the site allocation policies and supporting text, including references to other relevant policies that will influence development or capacity of the site (eg flood risk, urban green factor, heritage constraints etc).

53. It should also be noted that the policy approach is that site allocation policies do not restrict or cap the level of development onsite if an acceptable proposal is put forward at planning application stage. Indeed, we anticipate that some landowners may seek to pursue higher numbers for some sites, where appropriate, in planning applications. However, this expectation would not yet be a robust basis for the HELAA or the site

allocations policies because they have not demonstrated that an acceptable and policy-compliant scheme can be delivered at that quantum.

54. Where there is a site allocation or a planning permission for student accommodation presented as number of rooms, this figure was divided by 2.5 (the national ratio set out in the Housing Delivery Test) to provide a “dwelling equivalent figure” whilst self-contained accommodation is counted as 1:1. A small number of sites in Table B have a capacity of zero listed, as explained in the HELAA paragraph 2.2.4 (HEA.003).
55. This leaves only 1 site in Table B where there is no planning permission or site allocation, so a density typology has been applied to inform the capacity assumption for Table B: Site #613 (capacity assumption 12 homes). The density typologies and bandings were developed in the context of the characteristics of Oxford demonstrated in the evidence base and the local plan policies for future development.
56. As part of their respective Regulation 19 representations, South Oxfordshire and Vale of White Horse District Councils (008. Rep 3, 172 – South - Appendix 1 & 173 – Vale – Appendix 1) commissioned a report “The Capacity Assessment of Oxford City” (CAR) as a counter-assessment of Oxford’s housing capacity. The report includes recommendations and suggested actions in relation to the capacity and level of residential supply in Oxford. These proposals and recommendations have all been reviewed and considered in detail. Where appropriate, changes have been incorporated in response to comments made in the CAR or Regulation 19 representations, or further explanation provided, via the HELAA addendum March 2024 (HEA.004). For example, in the Addendum, further explanation is provided about the non-implementation discount, and it has also been re-worked to only apply to sites which have not yet commenced (ie it has now been applied to fewer sites, so the capacity assumption has slightly increased); Further explanation about the trajectory and five year totals has also been provided in the Addendum, along with a graphic illustration provided, in response to comments in the CAR. ; Further clarification is also provided about the site size threshold and the windfall assumption, in response to comments in the CAR; The HELAA addendum also includes assessment of 12 new sites proposed in the Capacity Assessment Report (CAR). The 2020-2040 capacity figure in Policy H1 for LP2040 was then updated (from 9,612, to 9,851 or 493dpa) to take account of these and the other changes explained in the Addendum (HEA.004) (mainly updates to planning application status to March 2024), and a more detailed housing trajectory produced (see Main Modification for Policy H1 Housing Requirement CSD.009).

57. A more detailed response to the comments raised in the Capacity Assessment Report (CAR) has been prepared. The purpose is to assist the Inspectors in understanding the housing capacity assessment that was undertaken in support of the Local Plan 2040. This is attached as an appendix to this question – **Appendix 1 of this document**. It explains that we are confident in the thoroughness of the search for sites, the rigour of the HELAA approach, and the regular updates to our information about sites and landowner intentions, which all result in a robust calculation of capacity for the Plan period.

Question 7: Is it appropriate to set the housing requirement to exactly match the identified capacity (not withstanding the use of some discounting)? What implications would this have for future assessments of housing land supply? Should more flexibility be built in between the requirement and the estimate of capacity?

58. The housing requirement set out in Policy H1 is capacity-based rather than the full housing need. Given the scale of the need identified, and the resultant unmet need, it has been important to maximise capacity within the city. The requirement in H1 has therefore been set to match the identified capacity (note the requirement has been updated in the proposed main modification to Policy H1 at Submission stage (CSD.009)). This capacity-based approach is also applied in the current Local Plan 2036, and in the Core Strategy prior to that, so it has been operational in Oxford for some years now, and has been demonstrated as an appropriate policy approach. The capacity assessment for the Oxford Local Plan 2036 also used a 10% discount for non-delivery, and the City Council has been able to meet the Housing Delivery Test and demonstrate a 5 year housing land supply since its adoption.

59. A 10% non-implementation discount is applied in the HELAA calculation of capacity, to account for the risk of non-implementation of sites. The reasons why the discount is appropriate and how it is calculated, are set out in full in the HELAA Addendum (HEA.004, page 3). The reasons for the discount reflect the nature of the supply of sites in Oxford (which is predominantly small brownfield sites and complex,) and are important to ensure that the capacity-derived housing requirement figure is robust, realistic and reflects local circumstances. The discount is only applied to sites identified in Table B of the HELAA that have yet to commence construction (49 sites). The discount is not applied to the windfall calculation, to minor commitments, or to sites that are either currently under construction or have already completed within the plan period.

60. The housing land supply is deliverable and realistic throughout the plan period, as set out in the housing trajectory (see HELAA Addendum (HEA.004, page 7)). The annual fluctuations in delivery that are forecast in the trajectory, are normal in Oxford because of the constrained and complex typology of sites comprising the housing land supply, as evidenced in the published monitoring data of previous years' completions rates (SUP.004, SUP.005, SUP.006). The projected overall supply reflects the many small sites encompassed in the projected supply. Furthermore, the projected supply is based on the current available evidence and is likely to underestimate slightly the delivery rates in the latter years of the plan. Indeed, those later-year sites may not yet have progressed sufficiently to understand the final numbers, or are sites that will come forward as windfall and are therefore not known about at this point. The evidence indicates that more up to date information is likely to become available from landowners and/or planning permissions in place as time progresses. These alongside site allocations in future local plans, will all improve the housing land supply situation for those latter years, during the plan period.

UNMET HOUSING NEED

8. How and where is it intended to meet the unmet need of 841 homes per annum (16,828 over the plan period)?

61. Oxford's unmet need, based on the housing requirement set out in Policy H1 of the Regulation 19 consultation document, is 841 dwellings per annum (dpa) (1,322 dpa as the assessed need, annualised, minus the 481 dpa housing requirement to be met in the city). The proposed main modification to Policy H1, based on updates to capacity using the most recent data on submission, suggested an updated housing requirement of 493 dpa, which would lead to a very similar but slightly lower unmet need of 829 dpa.
62. Most unmet need over the Local Plan period 2020-2040 will be met on existing sites that were allocated to meet Oxford's housing need arising from the Oxford Local Plan 2016-2036. These sites are allocated in extant and adopted plans, and in most cases a commitment has been made in the districts' Regulation 18 consultations for the next round of Local Plans to continue to allocate those sites and accommodate Oxford's unmet need. This is considered further below.
63. The majority of the proposed Oxford Local Plan 2040 plan period overlaps with that of the previous round of local plans in Oxfordshire, which run to 2031 or 2035, compared to the Oxford Local Plan 2036. Therefore, it is pertinent to consider the proposed Local Plan 2040 in the context of what has already been agreed and planned for in

Oxfordshire. Firstly, as part of previous working arrangements, the SHMA identified housing need for Oxfordshire over the previous plan period (2016-2036) of 100,060 homes. Planning for this began with a 'working assumption' of Oxford's unmet housing need for almost 15,000 homes for the period 2011-2031, apportioned and allocated as follows through a memorandum of understanding:

Table 8.1: Agreed apportionment of unmet need arising from LP2036

District	Apportionment (2011-2031)
Cherwell	4400
Oxford	550
South Oxfordshire	4950 (South Oxfordshire did not sign the MoU although this figure is incorporated within the South Oxfordshire Local Plan 2034)
Vale of White Horse	2200
West Oxfordshire	2750
Total	14,850

64. Following on from that, each of the Oxfordshire authorities worked towards progressing plans for the above agreed figures through the last round of local plans, with provision made in those plans for an adjusted total of 14,300 homes to meet Oxford's unmet need in the other districts (14,850 in total minus the 550 eventually apportioned for Oxford). This was the majority of the total assessed unmet need of 17,116 homes (2016-2036 time period).

65. Therefore, with regards to the proposed Oxford Local Plan 2040, whilst the overall unmet need for Oxford over the plan period (2020-2040) totals 16,589 (26,440 need minus 9,851 capacity (in Main Mod)), it is the case that 14,300 of those homes have already been planned for in currently adopted Local Plans for West Oxfordshire, Cherwell, South Oxfordshire and Vale of White Horse (leaving 2,289). Due to a range of factors however (many of those sites are large and complex) it is expected all those unmet needs sites to be delivered during the plan period of the Oxford 2040 Local Plan (i.e. the homes were not delivered before the start of the plan period of 2020). Whilst the site allocations to deliver the unmet need are currently in extant plans, the Regulation 18 documents for consultation of each of the districts' new Local Plans indicate that these are also proposed to be retained or carried over into many of the new Local Plans.

66. The Regulation 18 consultations for the relevant plans show that South Oxfordshire, the Vale of White Horse and Cherwell District Councils intend to continue to accommodate

Oxford's unmet need to 2036 (West Oxfordshire has not yet carried out a Regulation 18 consultation for their new Local Plan).

67. Firstly, in the joint South Oxfordshire and Vale of White Horse District Councils' Regulation 18 consultation document, it is stated that, in addition to the proposed housing requirement for South Oxfordshire from the standard method, '...we have previously agreed through the last Local Plan to accommodate 4,950 homes for Oxford's unmet need for the period 2021-2036.' Specifically for Vale of White Horse it is explained that, in addition to their standard method requirement, '...we have previously agreed the last local plan to accommodate 2,200 homes for Oxford's unmet need for the period 2019 to 2031.' (Policy HOU1, Chapter 6, no paragraph numbers).
68. Additionally, Cherwell District Council Local Plan Review 2040 Regulation 18 consultation (22 September 2023-3rd November 2023) includes an assumption that the level of Oxford's unmet need that should be met in Cherwell is some 1,322 homes per annum (paragraph 3.170). The Cherwell plan figure has taken the proposed amount of unmet need in Oxford City Council's Regulation 18 Part 2 document then distributed amongst the Oxfordshire districts on the same basis as the unmet need from the SHMA 2014 apportionment). Sites from the Cherwell Partial Review are also factored into the housing supply for the 2020-2040 period, with 4,400 factored into the deliverable supply (e.g. paragraph 3.182 of Cherwell's consultation draft Cherwell Local Plan Review 2030). As such, the principle of Cherwell planning for the delivery of unmet need (2020-2040) is included in the plan, although it also states that this working assumption will be kept under review as the plan process continues.
69. West Oxfordshire have not yet published a preferred options Regulation 18 document consultation for their next Local Plan to indicate their intentions in terms of taking forward the previous commitment to accommodate 2,750 homes for the 2036 identified unmet need. However, their adopted Local Plan provides for these homes to be delivered on just two named sites: West Eynsham where 550 homes out of a total of 1,000 homes are identified for Oxford's need (Policy EW2), and the larger remainder at Salt Cross Garden Village which is allocated for 2,200 homes (Policy EW1). West Oxfordshire have produced a Draft Area Action Plan, which is currently at examination, for the Salt Cross site which states: "*the garden village has been allocated in response to Oxford's unmet housing needs*" (paragraph 10.43) and "*West Oxfordshire's view is that there should be a balanced mix of affordable housing opportunities for both Oxford and West Oxfordshire residents within the garden village*" (paragraph 10.44). The Salt Cross AAP is currently at examination; the Planning Inspector's Report issued in March 2023

found that the draft zero-carbon policies went beyond national policy and set out Main Modifications which substantially amended them, however that Inspectors' Report and those Main Modifications were recently successfully overturned at the High Court and it has since been confirmed that a new Inspector has been appointed to reopen the Examination and examine the remitted part of the AAP, which provides confidence of West Oxfordshire's commitment to that policy framework.

70. The Joint Statement of Common Ground (COM.002) sets out that other districts, apart from Cherwell, do not accept the City Council's assessment of need. It also outlines that the other districts have not, at present, accepted the City's capacity assessment. It is agreed by all in the SoCG that any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for, and that this should inform Local Plan strategies where it is practical to do so and is consistent with achieving sustainable development (paragraph 34 COM.002).
71. Therefore, the identified unmet need arising from the proposed Oxford Local Plan period of 2020-2040 could be planned for in surrounding districts. Most notably, with reference to the Joint Statement of Common Ground and emerging Regulation 18 Local Plans, most of the need arising from the proposed Local Plan 2040 will be planned for in surrounding districts in the following ways:
- Commitments from South Oxfordshire and Vale of White Horse District Councils that existing sites in their respective currently adopted Local Plans will be retained in those two districts.
 - Commitments from Cherwell District Council that unmet need will continue to be planned for in Cherwell.
 - Commitment from West Oxfordshire District Council to proceed with the examination of the Salt Cross AAP.
72. The unmet need will largely be planned for on sites that it has already been agreed are appropriate for delivering Oxford's unmet need from 2031-2036. The apportionment of which has been informed by the LUC Spatial Strategy and individual plan-making exercises in the relevant districts. This process considered the connectivity of different areas to Oxford and the availability of sites. The unmet needs sites are either attached to Oxford and proposed as urban extensions or within easy reach of it by sustainable means. Indeed, there are opportunities available to the surrounding district councils to plan for the full Oxford unmet need for 2020-2040 in their districts, especially in the context of the currently adopted Local Plans and emerging draft Local Plans.

9. What agreements are in place to do this and what is the position of other authorities including in relation to continuing commitments in existing adopted Local Plans?

73. As described under question 8, the agreement to meet an apportionment of unmet need was first established through a Memorandum of Understanding (GRO.004), which was progressed collectively via Oxfordshire Growth Board meetings in 2016. The subsequent adopted local plans include allocations for sites which were identified through joint strategic working. Indeed, there is a commitment to deliver the unmet need to 2036 in the current round of local plans (see Table below), including site allocations.

Table 9.1: Committed unmet need and relevant local plan document

District	Unmet need apportionment (2011-2031)	Provision for unmet need in adopted local plan
Cherwell	4400	Cherwell Local Plan 2011-2031 Partial Review – Oxfords unmet housing need Adopted September 2020
South Oxfordshire	4950 (South Oxfordshire did not sign the MoU although this figure is incorporated within the South Oxfordshire Local Plan 2034)	South Oxfordshire Local Plan 2035 Adopted December 2020
Vale of White Horse	2200	Local Plan 2031 Part 2: Detailed Policies and Additional Sites Adopted October 2019
West Oxfordshire	2750	Local Plan 2031 Adopted September 2018 And Salt Cross Area Action Plan , Examination ongoing.

Table 9.2: Showing Regulation 18 consultation documents from districts so far indicate current provision/sites will be maintained.

District	Consultation document	Position on unmet need provision (also summarised in COM.002)
Cherwell	Cherwell Local Plan 2040 (September 2023) Regulation 18. <i>Reg 19 due Autumn 2024</i>	Recognises that there may be potential for additional unmet need from Oxford City in the period to 2040 in addition to the 4,400 it has already committed to delivering as part of its adopted development plan.
South	Joint Local Plan 2041	Plan incorporates the existing agreed unmet

Oxfordshire	Preferred Options (Reg 18) January 2024 <i>Reg 19 due Autumn 2024</i>	needs of Oxford City of 4,950 for South Oxfordshire and 2,200 for the Vale of White Horse District
Vale of White Horse	Same as SODC	Same as SODC
West Oxfordshire	Local Plan 2041 Regulation 18 August 2023, with additional Reg 18 <i>Preferred Options due June 2024</i> Draft Salt Cross Area Action Plan Currently at examination	Adopted Local Plan committed to delivering 2,750 new homes to assist Oxford City in the period 2021 – 2031. The Salt Cross site is intended to accommodate the majority of WODC’s portion of Oxford’s 2036 (Policy EW1 of the adopted WODC Local Plan 2031)

74. The commitment to provision for unmet need is also addressed in the **Joint Statement of Common Ground (COM.002)**, signed by Cherwell, Oxford, South Oxfordshire, Vale, and West Oxfordshire district councils. The SoCG explains that they are not disputing the agreed provisions in existing plans. In addition, there are also bilateral agreements in place (or in progress) between the councils over the affordable housing element of the provision for unmet need, to deal with practical matters such as affordable housing on unmet need sites.

Table 9.3: Nominations agreements in place for affordable housing

District	Affordable housing nominations agreements
Cherwell	Agreement in progress (at May 2024)
South Oxfordshire	Memorandum of Understanding regarding the operation for addressing the affordable housing element of Oxford City’s unmet housing needs with the assistance of South Oxfordshire District Council, June 2023
Vale of White Horse	Memorandum of Understanding regarding the operation for addressing the affordable housing element of Oxford City’s unmet housing need with the aid of Vale of White Horse District Council, October 2022
West Oxfordshire	Memorandum of Operation for addressing Oxford City’s unmet need in West Oxfordshire

75. Together, these different elements demonstrate and confirm the commitments to delivering substantially the provisions for unmet need in existing adopted Local Plans and those currently emerging. Indeed, whilst there remains some dispute regarding some elements of the unmet need arising for 2020-2040 most of it is already planned for in the surrounding districts. Moreover, as they are still emerging, there are opportunities for the surrounding districts to plan for unmet need as they progress with new Local Plans.

Question 10: How do housing requirements in adopted Local Plans in other authorities compare with standard method calculations of housing need?

76. The council can provide some key figures to assist in understanding the matters raised by this question. Firstly, table 7.4 in the HENA (HEA.001) sets out the standard method housing need calculations, based on the latest data in 2022 and government guidance.

Table 10.1: Extract from Table 7.4 in HENA, standard method (2022)

	Cherwell	Oxford	South Ox	VoWH	West Ox	Oxfordshire
Uncapped need (pa)	742	856	641	661	582	3482
Capped need (pa)	742	762	641	661	582	3388

77. Since submitting the Plan in March 2024, updated affordability data has been released by Government, which results in the following adjustments to the standard method figures (capped figures):

Table 10.2: Updated Standard Method figures

	Cherwell	Oxford	South Ox	VoWH	West Ox
<i>2022 data (as in HENA)</i>	742	762	641	661	582
<i>2023 data</i>	710	762	605	628	570
Updated to 2024 affordability data	706	762	579	633	549

Table 10.3: Comparison with the housing requirements in adopted Local Plans

District	Housing need and unmet need in current LPs	Annualised housing requirement from when Oxford’s unmet need factors in, (Note this ignores stepped trajectories, uses different start dates for unmet need and different end dates)
VoWH	1,028pa +183 for unmet need 2019	1,211

	onward	
West	2011-31 15,950 derived from 13,200 WOx need, 2,750 2021-31 unmet need	935
S Ox	18,600 for S Ox 2011-35 4,950 unmet need 2021-2035 =23,550 total need over plan period	1,190
Cherwell	1,240pa Cherwell's need, 4,400 in unmet need	1,580

Please also see response to Matter 3, Question 11 about capacity in districts.

Question 11: Will the full unmet need realistically be delivered by other authorities?

78. At the current time, as set out in the responses to questions 8 and 10 in Matter 3, unmet need from the 2036 Plan is being met in extant plans of the surrounding districts, and there are commitments to carry forward allocations/housing requirements into new plans or keep them in extant plans (e.g. Cherwell's Partial Review for Oxford's Unmet Need). However, it is also the case that no districts have stated they are going to accept Oxford's assessment of its capacity before the Oxford Local Plan 2040 goes through an examination process. In addition, except for Cherwell, neither will they accept the assessment of need (set out in the HENA) before it goes through the examination process. Therefore, whilst the majority of Oxford's unmet need is being met on allocated sites in adopted Local Plans, there is a small amount of additional unmet need (c.2,289 if using the requirement of 8,851 in the proposed Main Modification to the housing requirement in Policy H1) that is not committed to in emerging local plans of the other Oxfordshire districts.

79. However, none of the surrounding districts have yet reached Regulation 19 consultation stage, and there is still significant opportunity for the remaining unmet need to be planned for. The limited amount of unmet need for the 2036-2040 period is smaller than the amount of unmet need that was remaining on adoption of the Oxford Local Plan 2036. That was because the previous apportionment of unmet need was based on a previous working assumption of Oxford's capacity, which is demonstrated to have been an overestimate. Oxford's Local Plan 2036 process also followed behind the other district's plans (other than South Oxfordshire's) that were based on the 2014 SHMA assessment of housing need.

80. It will be a matter for each district to decide how best to plan for unmet need and allocate appropriate sites for development, although continued discussions at an

Oxfordshire-wide level will be required. Ultimately, however, within existing Local Plan arrangements, there is demonstrably sufficient capacity on existing adopted site allocations explicitly or nominally for Oxford’s unmet need to enable the residual unmet need to be delivered. Those sites are already assessed as being appropriate for meeting Oxford unmet need, they are in locations well-connected to Oxford, and already benefit from site allocations in Local Plans, as set out in the table below. Of course, whether districts continue to allocate these sites and to treat them in the same way as being for Oxford’s unmet need will be a matter for their own local plan reviews.

81. It is important to note that in the time since those allocations were made there has been significant progress towards delivery on some of them. Indeed, in some cases, when the more detailed work involved in moving through the planning application process to consent has been carried out, it has demonstrated that some sites can accommodate more homes than was envisaged in the allocation. Several of these sites have already come forward since 2020 (i.e. since the start of this plan period) with nomination rights for Oxford City Council. The table below collates those sites from within adopted plans which are already allocated to meeting (at least an element of) Oxford’s unmet needs. The final column seeks to provide an indication of site status. This has been compiled with the assistance OPPO colleagues, but has not been collectively agreed. However, the City Council considers this to be a helpful indication of the current position, even caveated that this can only ever be a snapshot in time (end of 2023).

Table 11.1: Allocated sites which are specifically, partially or nominally for Oxford’s unmet need to 2036, noting where additional capacity is already demonstrated

Site Location	Allocated housing number	Status
<u>Cherwell</u>		All of the sites below were specifically allocated to address Oxford’s unmet need.
PR6a East of Oxford Rd	690	Outline application for up to 800.
PR6b West of Oxford Rd	670	No application yet, so assume 670.
PR7a South East of Kidlington	430	Two applications for 370 + 96 = 466.
PR7b At Stratfield Farm	120	Two applications for 118 + 4 = 122.
PR8 East of the A44	1950	One application for approximately 1,800, EIA scoping on another part for 300. May be more on smaller parts. Assume 2,100.
PR9 West of Yarnton	540	Outline application for 540.
Total (All require 50% affordable housing)	4,400 (same as reqt)	<i>Running total above = 4,698</i>

<u>South Oxfordshire</u>		No sites were specifically identified in the Local Plan, but these three sites require 50% affordable housing recognising their location close to Oxford.
Bayswater Brook	1,100	Outline application for up to 1,570 (including 120 assisted living units). 1,513 net
Northfield	1,800	No application yet, so assume 1,800
Grenoble Road	3,000	No application yet, so assume 3,000
Total (The three sites above require 50% affordable housing)	5,900 (950 more than reqt)	<i>Running total above = 6,313</i>
<u>Vale of White Horse</u>		The Local Plan refers to providing sites in the Abingdon and Oxford Fringe Sub-Area which would include the allocated sites below as well as others in Marcham, East Hanney and Kingston Bagpuize.
North Abingdon	800	Consent for 950 + 80 bed care home (42 units). 992 units total.
North West Abingdon	200	Consent for 200.
Dalton Barracks	1,200	No application yet, so assume 1,200, even though there is a wider site with a known larger capacity.
South Kennington	270	Consent for 283.
North West Radley	240	Consent for 240.
Total (These sites require 35% affordable housing)	2,710 (510 more than reqt)	<i>Running total above = 2,915</i>
<u>West Oxfordshire</u>		The Local Plan records that 550 houses out of the 1,000-house allocation at West of Eynsham and all 2,200 houses at the Garden Village are identified for Oxford's unmet need.
West of Eynsham	550 (out of 1,000)	Consent for 160 completed Consent for 77 Application for 180. Assume 1,000
Salt Cross Garden Village	2,200	Outline application for 2,200.
Total (These sites and others require 50% affordable housing)	2,750 (same as reqt)	<i>Running total above – 3,200.</i>
		<i>Running total capacity = 17,126 (2,846 more than agreed)</i>
		<i>Residual unmet need = (2,517)</i>

82. The table demonstrates that Oxford's unmet need from 2020 to 2040 can be reasonably and sustainably accommodated within sites specifically, partially or nominally already allocated to meet Oxford's unmet need to 2036. The City Council believes that emerging plans in surrounding districts should specify that housing on these sites are for Oxford's unmet need, as this would aid clarity and provide for additional levels of unmet need,

and has made representations to that effect in response to consultations. This would also assist in planning for development in a coherent strategic spatial planning framework. Indeed, if the above table is an accurate representation of the situation, a further benefit for those authorities of doing so, would be that no additional sites to these existing allocations would, therefore, be likely to be needed in order to accommodate Oxford's entire unmet need for the proposed Local Plan 2040 time period of 2020-2040.

Question 12: What are the implications for emerging Local Plans in these authorities?

83. The implications for Local Plans in surrounding authorities has largely been described in earlier responses in Matter 3. In particular the table in the response to Question 11 above, illustrates how several of the unmet need sites identified in current local plans are likely to have greater capacity than originally anticipated. This is because, for example, some already have planning permission for greater than the original assumed capacity, on some the landowners have indicated that they are intending to develop at greater densities than previously assumed, and for some it has already been identified that there is scope for extending the site as a "phase 2". Further opportunities may be identified as the plans progress, utilising the currently planned for sites to deliver unmet need.
84. Having regard to the fact existing adopted Local Plans have planned for most of the unmet need arising due to overlapping plan periods, the remaining additional unmet need to be planned for the period 2036-2040 is calculated as being in the region of 2,289 in *total* across the authorities (not each). Therefore, the table in question 11 does clearly show how this residual unmet need for 2020-2040 could be delivered on existing unmet need sites in an acceptable way. As a result, there is the potential that very few or no new sites would need to be allocated for development in the emerging Local Plans for the surrounding districts. The districts Local Plans could be taken forward with very similar spatial development strategies to those previously found legally compliant, soundly based, in accordance with national planning policy and subsequently adopted.
85. The evidence demonstrates that there will be some residual unmet need arising in the proposed time period of 2020-2040, but this can be adequately and strategically planned for and addressed within the scope of emerging plans. The Table in Q11, Matter 3 above further reinforces the fact that opportunities are already being identified that would allow the districts to plan for and accommodate Oxford's unmet for 2020-2040 within existing spatial development strategies. Indeed, more specifically this could be achieved on sites that are not only adopted as being suitable for development but also

on sites identified as appropriate for unmet need. Whilst the additional capacity that is coming forward on sites close to Oxford is not currently being 'assigned to Oxford, there is clearly an opportunity to do so and for existing sites explicitly or nominally for Oxford's unmet need to 2036 to also deliver the unmet need to 2040. Taking this approach is absolutely essential in achieving positive outcomes through setting objectives for development and preparing soundly based and justified policies of the Development Plan.

Question 13: How would delivering unmet need in other authorities achieve the objectives and outcomes intended, for example in terms of commuting and addressing affordable housing needs in Oxford City?

Oxford Local Plan's Objectives and intended outcomes of draft policies

86. The NPPF is clear, at paragraph 11, that sustainable development for plan making means that plans should promote a sustainable pattern of development that seeks to meet the development needs of their area, and this is what the Oxford Local Plan 2040 has sought to do.

87. On that basis, from the beginning of the process, the City Council opted to prepare a Local Plan that responds to the contemporary challenges which the city of Oxford is facing. These challenges include an ongoing recovery from the Covid-19 pandemic, addressing climate change, and tackling known housing issues. Moreover, in order to deliver sustainable development, it was decided the plan should also respond to other environmental and social issues, alongside responding to issues arising within the context of an overall strong economy in the city.

88. From the start of the plan making process, it was identified that the Local Plan must help deliver against some key themes and objectives. These themes, objectives, and the overarching threads which hold them together, have been agreed through ongoing stakeholder engagement and form the basis of the policy choices made in the development of the Local Plan. These are set out in detail at Chapter One of the submitted Local Plan 2040 and not repeated in full here (please see the answer to Matter 1, Question 1 for more details). In the context of Matter 3, a number of those are especially relevant and have helped shape the City Council's approach to housing need and housing requirement. These are addressed below:

A) Access to affordable housing¹

89. The first of these is the need to improve access to affordable housing. The key figures demonstrating this can be summarised as follows:

- Oxford remains one of the most unaffordable places to live in the country, with the median affordability ratio of 12.1 in 2023 (ONS).
- The shortage of housing exacerbates inequalities, which can be seen in the level of deprivation in the barriers to housing and services indicator. In the 2019 Indices of Deprivation, 11 of Oxford's LSOAs were in the 20% most deprived for this indicator, and 4 were in the 10% most deprived nationally.
- Nearly 70% of Oxford's LSOAs were in the most deprived half nationally. Looking at just the housing element of the indicator (affordability of housing, crowding and homelessness), 33 of Oxford's LSOAs were amongst the 20% most deprived nationally.

90. As explained in more detail in Questions 1-5 above, the City Council's starting point has been to fully understand the [true](#) housing need (as reflected in the decision to explore alternative methods of calculation in the HENA). The second step has been to explore every opportunity to accommodate housing within the city (as reflected in the assessment of the HELAA and the permissive policy choices of the Plan as a whole, including site allocations expressed as a minimum net-gain (see paragraph 8.3 of the Local Plan) and Policies H5 and E1 for example). The City Council has been clear that despite our best efforts, we cannot accommodate all the identified need within our boundaries. The proposed Local Plan and its evidence base demonstrate that.

B) Supporting the local economy²

91. The second of these is the need to support the local economy. The key figures demonstrating this can be summarised as follows:

¹ see: Theme 1: Oxford will be a healthy and inclusive city to live in; Objective 1: There is access to affordable, high-quality and healthy living accommodation for all; Overarching thread 2: Reducing inequalities

² See Theme 2: Oxford will be a fair and prosperous city with a globally important role in learning, knowledge and innovation; Objective 3: We continue to build on the city's strengths in knowledge, healthcare and innovation; Overarching thread 2: Reducing inequalities.

92. Oxford is home to 151,600 people and 6,000 businesses. It has the highest employment rate in the country, 121,000 jobs, which contribute around £6.8bn to the national economy each year, the city is one of a handful of net contributors to the national economy.
93. Oxford is driven by a talented population, around 60% of whom have a degree level qualification or higher; but opportunities are unequal with average educational attainment in state schools well below the national.
94. As explained in more detail at BGP.006a, the City Council has sought to understand the local jobs and employment land market, the trends and economic strategies in place, and to fully understand the impact of those relevant factors on the housing need (as reflected in the work on an employment land needs assessment, the HENA, Oxfordshire's Local Industrial Strategy (ECO.005), Strategic Economic Plan (ECO.004) and the City's Economic Strategy (ECO.010)). It has sought to develop an employment strategy for the Local Plan which will support Oxford's economic strengths, whilst building an inclusive economy for all. It has also, importantly, considered the implications of this, balanced against a need to provide significant levels of housing (see Policy E1).
95. The City Council considers an appropriate balance has been struck in setting its spatial development strategy; no new sites are allocated for employment, yet identified employment needs are fully accommodated within the city, and the associated implications of this for housing have been fully considered. The proposed Local Plan 2040 will respond to the economic trends in the city whilst also providing for considerable new residential development. It also incorporates flexibility which will allow for development proposals to come forward should the position change.

C) Creating a liveable city for all³

96. The third of these is the need to create a liveable city. The key figures demonstrating this can be summarised as follows:

³ (See Theme 6: Oxfords will be a liveable city with strong communities and opportunities for all; Objective 17: Our neighbourhoods will have the facilities we need to support our daily lives within a short walk of our homes to support a liveable city; Objective 21: We support modal shift, to more sustainable/active forms of transport; Overarching thread 3: Liveable city)

- Oxford is the only local authority area in the county where the number of inbound commutes is greater than outbound. Almost half of Oxford's workforce (45,900 people or 46%) commuted into the area in 2011. Despite the increase in absolute numbers (an additional 5,800 people), this is a slightly lower proportion than in 2001.
- In 2011, there were 42,000 daily journeys to work by Oxford City residents to a workplace within Oxford city, with a modal share of 25% by bicycle, 26% on foot, 25% as car driver, 3% as car passenger and 20% by bus.
- The city, like many urban areas, is challenged by poor air quality which has a range of risks for health and wellbeing. There are particular challenges in relation to emissions of Nitrogen Dioxide (NO₂), as well as other pollutants to lesser degrees (such as particulate matter)⁴. Sources of NO₂ are primarily related to road traffic emissions (68% of total emissions of Nitrogen Oxides), alongside other sources such as domestic combustion (responsible for 19% of emissions).
- Access to different types of green spaces across the city is not equal, exacerbating challenges of inequalities. For example, the Green Infrastructure Study 2022 (GRE.001) highlights gaps in access to children's play spaces for residents in the city centre and the north of Oxford; to accessible natural green spaces for residents in Cowley/Temple Cowley and Summertown. There are also areas of the city where residents typically have lower access to private gardens coupled with reduced access to public open space nearby, including some areas of higher deprivation such as Blackbird Leys.

97. As explained in more detail at BGP.014, the City Council has also sought to understand the local patterns of movement, the range of transport and travel strategies in place, plus infrastructure projects (planned and approved) to address the issues the city's transport network faces (see BGP.014). In that context and in light of the evidence base material, the Council has also prepared appropriate locational, access, sustainable travel and low-car policies in Chapter 6 of the Local Plan. This package of policies will promote healthier and active lifestyles, improvements in the local environment such as on air quality and congestion and help to tackle the broader issue of reducing our impact on the climate.

98. There are many other strands to ensuring sustainable development is embedded within the spatial development strategy for the city, alongside new residential development. A

⁴ See 2022 Air Quality Annual Status report: <https://www.oxford.gov.uk/air-quality-data/air-quality-annual-status-reports>

wide range of environmental, social and economic objectives have influenced the policies of the Local Plan 2040. These include, for example, the landscape setting of Oxford, its sensitive ecology and biodiversity, areas of flood risk, its heritage significance and contribution towards tackling climate change. All these matters to some extent interplay with the housing issue, whilst they are not focused on in detail here, they are comprehensively assessed in the Sustainability Appraisal (CSD.003).

99. In the context of these objectives and intended outcomes, the City Council has prepared a Local Plan that will contribute to the achievement of sustainable development in the city over the plan period of 2020-2040 as required by the NPPF. Properly understanding the housing need is the only way to seek to resolve the issues faced by affording it the appropriate weight in the plan-making process. The evidence is clear that the housing issues being faced in the city are acute and this has been given significant attention; however, this has been addressed as far as possible within the context of the constraints and opportunities in the city. Whilst there is some identified unmet housing need resulting from this strategy, this is reduced to the lowest possible level by maximising the effective use of land and potential deliverable capacity of the city. The strategy deployed, and the evidence it is based on, has been covered extensively in the Local Plan 2040, background papers, the answers to Inspector's Questions and other documents in the examination library.

100. It is in that context, and within those circumstances, that the City Council engaged with other authorities on matters of unmet need. The City Council's position on how the delivery of unmet need in the surrounding districts can assist in meeting the objectives of the Local Plan 2040 are considered below.

How delivering unmet need within other authorities can address those objectives and outcomes

101. The City Council believes it has made a robust and well-evidenced case in identifying housing need, Oxford's capacity, and the resulting unmet need which we are seeking assistance from our neighbouring authorities to accommodate (as set out in response to questions above). It is possible for homes to be delivered outside the boundary of Oxford yet still address housing need in line with the Plan objectives and strategy. This has already been demonstrated through the preparation of extant and adopted Local Plans to this end.

102. Such provision for unmet need outside the boundaries of the city would still help achieve the objectives of the Oxford Local Plan as follows:

A) **Access to affordable housing** – this objective can be addressed/met in the following ways:

- the delivery of unmet need sites to provide additional homes to address the identified actual need.
- ensuring that a higher proportion of affordable housing is delivered on those sites than would be typical on other sites within neighbouring authority areas, to match that which would be required through Oxford's own policies. As has previously been the case with allocated unmet need.
- securing affordable housing nominations agreements with neighbouring authorities to ensure that affordable housing need arising from the city is accommodated, i.e. people on Oxford's housing register are eligible to apply for new affordable homes. As has already been secured with South Oxfordshire, Vale of White Horse and West Oxfordshire and is currently in progress with Cherwell (see question 9 above).

B) **Supporting the local economy** – this objective can be addressed/met in the following ways:

- ensuring that the regional and national aspirations for Oxford and Oxfordshire's economy are supported as it continues to be a net-contributor to the national economy.
- supporting key employment sectors who report difficulties in recruitment and retention due to the lack of access to and unaffordability of housing in the Oxford market.

C) **Creating a liveable city for all** – this objective is addressed/met in the following ways:

- ensuring that additional homes are delivered in locations that are easily accessible to Oxford, to help meet the identified need close to where it arises.
- providing new homes with options for sustainable and active travel to places of work and other desired destinations.
- both of the above, with the aim of reducing travel time and reliance on car travel and the resultant issues with congestion and air quality.

103. In that context, the City Council is very aware that when considering the provision of unmet need, the details and policies needed to deliver that are within the jurisdiction and gift of those neighbouring authorities. It is considered that there are a number of ways in which the potential implications of such policies can be mitigated to reduce the

impact on those locations including: taking a plan-led approach to allocating sites so that they are determined within a spatial strategy linked back to plan objectives; minimising the need for additional land to be allocated through consideration of the densities and capacities of already allocated sites (as has been considered under Question 11 above); and through careful pre-application and planning application discussions with stakeholders and partners. The City Council has demonstrated its commitment to assisting with these approaches where appropriate in recent years and continues to offer support in this regard.

Conclusion

104. In conclusion, the City Council recognises that this is a difficult topic requiring significant additional work to establish, and then deliver, and which involves difficult asks of neighbouring authorities. However, the City Council has demonstrated it has prepared an appropriate development strategy for the city and has sought to reduce as far as possible the resultant unmet need. Preparing a different strategy using the standard method, for example, would ignore the exceptional circumstances identified in the evidence base and fail to address both: the important challenges the city is facing, and the Local Plan's objectives. Indeed, it would not have started to address the issues of:
105. Access to affordable housing – failing to address the need for more homes would exacerbate the problems already experienced with unaffordability including lengthening housing waiting lists, continued over-crowding issues and the very high percentage of income spent on housing costs;
- Supporting the local economy – failing to address the need for more homes would hold back the economic potential of the city (out of accordance with national policy) and growth of local businesses who report problems with recruitment and retention due to lack of housing availability and its unaffordability; and
 - Creating a liveable city for all – failing to address the need for more homes where need is arising would result in increased commuting behaviours with workers drawn ever further away from places of employment and the congestion and air quality problems that results in.
106. In the absence of a strategic plan for the county or region as a whole, the evidence submitted with the Local Plan 2040 demonstrates that the proposed spatial development strategy (in a similar way to that already established through the Oxford Local Plan 2036) would be the most sustainable way to address acute housing issues in Oxford, balancing economic, social and environmental sustainability matters appropriately.

Question 14: If Oxford City’s housing need was calculated using the standard method, what would be the implications for the scale of unmet need and potential for it to be met by other authorities?

107. The standard method calculation for Oxford at the time of preparing the HENA was 762 per annum. In April 2024, post-submission of the Plan, new affordability ratios were published by Government. Whilst the affordability ratio – according to national Government calculations – has improved marginally since then, the standard method calculation for Oxford remains at 762. This compares to the housing need identified in the HENA of 1,322 per annum (BGP.001).

Table 14.1: Levels of unmet need using different need calculations (using proposed Main Modification update to H1 as the capacity)

	Annual housing need	Total need 2020-2040	Capacity 2020-2040 (HEA.004)	Unmet need 2020-2040
Standard Method (2022 data)	762	15,240	9,851	5,389
Housing need (HENA, 2022 data)	1,322	26,440	9,851	16,589
SM with affordability updated to 2024 Government data	762	15,240	9,851	5,389

108. The indications are that applying the standard method would in theory mean a smaller unmet need figure (in fact 8,911 units fewer than the amount already accounted for in extant local plans of the districts but not delivered before the 2020 start date of the Local Plan). However, the evidence does in fact demonstrate that there are substantial housing issues within the city. The pressing housing need in Oxford is not a new phenomenon and is anticipated to remain. Reducing the housing requirement in the plan by deploying the standard method figure (which is considered to be inappropriate, as explained above,) will simply exacerbate a range of housing issues such as worsening unaffordability (for purchase and rental), not adequately addressing waiting lists for affordable housing, not adequately addressing issues of unsuitable housing and overcrowding and many other social, environmental and economic impacts.

109. The need for homes will still be there, which is demonstrated by the evidence gathered as part of the emerging Local Plan 2040. If it is not adequately planned for it is expected the demand will be met to some, likely much more limited, extent by providing housing in an unplanned way. There would be a under delivery of new homes against need if the Local Plan 2040 were informed by and based on using the standard method. These evidence-based conclusions are why the Council instead took a responsible approach to commission the HENA to properly explore what the housing needs of Oxford are, rather than simply using the lower standard method figure.

Appendix 1

Oxford City Council Response to the following report:

Capacity Assessment of Oxford City Report (South Oxfordshire District Council and Vale of White Horse District Council, December 2023)

May 2024

1. This response by Oxford City Council sets out further explanation and signposts to relevant parts of the evidence base which help to explain the approach in the Oxford HELAA (2023), in response to where assumptions or evidence has been queried in the Capacity Assessment Report (hereafter referred to as the CAR) that was commissioned by South Oxfordshire District Council and Vale of White Horse District Council. In many instances, there was already explanation provided in the HELAA (2023), and this response supplements that to add further clarification.
2. Additionally, in response to the representations, further site assessment work was undertaken on 12 new sites identified in the CAR, and other adjustments have been made to the HELAA in response to queries raised in the CAR. These additional assessments and adjustments are set out in the HELAA Addendum, published March 2024, along with an update to the overall capacity figure for Oxford and corresponding Proposed Main Modifications to Policy H1 housing requirement.
3. Below, the main points raised by the CAR (in bold) are considered and addressed.
4. **Site size threshold: the CAR queries whether a smaller site size threshold (5+ net dwellings) would be more appropriate starting point for identifying and allocating housing sites (CAR para 2.29)**
 - 4.1. The urban character of Oxford and the type of potential development sites in Oxford, means that sites of 5 or fewer dwellings inherently come forward as windfall because they tend to be conversions (e.g. splitting a residential house into separate flats, or converting office/storage space above retail units) or very small infill (eg 1 or 2 units. in a garden). It is considered that the capacity of these types of schemes is already accounted for in terms of windfall, so reducing the threshold would not make a material difference in terms of the overall capacity. These types of opportunities are so small in scale and opportunistic that the landowners or small-scale builders bringing them forward are highly unlikely to propose them for a HELAA. This is for a number of reasons, such as the time, expense and potential for returns available of engaging on such small-scale sites in a HELAA. Plus, the permissive nature of the policies in the Local Plan towards new residential, is such that there is not the same impetus for landowners or agents to try to get their site allocated or included in a capacity assessment, because the principle of new residential development is likely to be supported in the vast majority of locations in Oxford anyway.
 - 4.2. If the HELAA were to include sites of 5-10 dwellings, then the main data source would (instead of being submitted potential sites) be those sites with planning permission or planning applications. Small sites with planning permission are already counted within the capacity figure ("small sites contribution") or captured by the windfall allowance.

The HELAA calculates this based on previous years trends for completions on sites of less than 10 dwellings and factors them into the capacity calculations. The City Council has found over time, that this is an accurate way of calculating the potential contribution from small sites in Oxford's specific circumstances and therefore has confidence in this approach. Indeed, the CAR notes that the Oxford HELAA includes a “substantial level of windfall”. Therefore, if the threshold for assessing sites in the HELAA were to be reduced to 5, then those two inputs into the capacity calculations would need to be reduced correspondingly in order that sites are not double-counted. So overall, adjusting the site size threshold is likely to have a negligible impact on the total capacity figure.

4.3. A further consideration is that the site size threshold was discussed between the Oxfordshire authorities at the time of agreeing the Joint Methodology, and the specific nature of sites in Oxford was discussed in that context and the Joint Methodology notes the circumstances in Oxford merit a different approach (paragraph 3.13 of Joint Methodology, 2021). This is also explained in the Council response to Matter 2, Question 7 about the approach in the HELAA and where the Oxford HELAA has varied the approach compared to the districts, including residential size threshold.

4.4. *Conclusion: retain the 10 dwellings/0.25ha site size threshold for residential sites, and within the capacity calculations retain the small sites contribution and windfall assumptions.*

5. Approach to sites in Flood Risk Zones: the CAR suggests considering & evaluating an alternative approach to the impact of the OFAS works. Suggests that the HELAA take a “more positive approach to unlocking potential future development land” on the basis that OFAS will improve protection of land in the south and west of Oxford from flooding (CAR para 2.38-2.39)

5.1. As noted in the CAR, the HELAA and the OLP2040 propose to apply a bespoke approach to Flood Zone 3 in order to allow very careful redevelopment of brownfield sites in FZ3b and avoid sterilising them whilst also maintaining a rigorous approach to addressing flood risk.

5.2. This approach is a pragmatic response to the specific circumstances in Oxford to avoid sterilising existing developed sites in FZ3b. The approach was initially developed for OLP2036 and, in agreement with the Environment Agency, has been reviewed and ultimately carried forward to LP2040 in Policy G7 in a revised format, with a further proposed Main Modification which takes account of additional feedback from EA. This is supported by an up-to-date SFRA and a Statement of Common Ground with the Environment Agency (March 2024).

5.3. The Environment Agency has always been very clear with stakeholders and communities that the Oxford Flood Alleviation Scheme (OFAS) is a flood defence scheme for reducing risk to existing businesses and residential properties, its role is not focussed on facilitating additional development in at risk areas. The project does not “improve protection” of land for planning purposes and any such approach would be contrary to the NPPF for plan making and decision taking.

5.4. This is because the undefended flood risk levels need to be considered when assessing any planning application (the level of risk without the OFAS), because the OFAS is considered to be a ‘flood defence’ for planning purposes. Its purpose is to improve the flood risk situation for existing properties. The Environment Agency advice in relation to the LP2040 is very clear, that the plan should not allow existing uses to be turned into more vulnerable uses within flood risk zones.

5.5. Conclusion: the HELAA's consideration of OFAS in evaluating suitability of sites for residential use, is consistent with latest Environment Agency advice and NPPF. No change to HELAA.

6. Green Belt: the CAR comments that the evidence and assessment in relation to Green Belt is spread across several documents requiring read across. It also suggests that it is contradictory that no exceptional circumstances existing in Oxford for Green Belt release, yet the City Council anticipates that unmet housing need will be accommodated on land outside of Oxford boundaries that may fall within Green Belt (CAR para 2.44-2.45).

6.1. The Green Belt evidence consists of three assessments: two were commissioned to support the LP2036 and a further assessment to inform LP2040 was published in February 2023 alongside the Oxford Housing Needs (Regulation 18 Part 2) Consultation. This was to review, update where necessary and supplement the earlier documents as part of a comprehensive evidence base for the proposed LP2040.

6.2. Using the same methodology, it reassessed 9 sites to check the results from the previous assessment were still applicable and also assessed 10 new sites. Paragraphs 3.6-3.8 of the Housing Need Consultation document (PCD.046) explain the supplementary study and approach to Green Belt. Sites with intrinsic protections and non-policy reasons not to develop (such as being functional flood plain FZ3b) were not assessed.

6.3. Following the Green Belt releases to support the Local Plan 2036, no additional sites were found in the Green Belt that were developable or that would not have a medium-high or high negative impact on the integrity of the remaining Green Belt if they were

to be removed. The need for housing in Oxford was not considered to outweigh this strongly negative impact on the integrity of the Green Belt. Therefore, it was stated in the Regulation 18 Part 2 consultation document that there was no intention to review Green Belt boundaries as part of the LP2040 process.

6.4. Site allocations within adjoining authorities are separately supported by their own Green Belt assessments. The principle of Green Belt land assessments mean that each land parcel is assessed on its own merits and circumstances. The unmet need of Oxford City will of course be relevant to that balancing exercise; but so will the neighbouring authorities' understanding of the characteristics and credentials in Green Belt terms of each parcel that is assessed. It is not the intention to compare parcels within Oxford City Council's boundaries to parcels outside of Oxford City Council's administrative area. Whether the use of Green Belt is justified or the most suitable response to housing need (including unmet need) is a decision for individual local authorities.

6.5. *Conclusion: No amendments proposed*

7. Employment sites: CAR comments that the ELNA considers cat 1 & 2 sites but there is no publicly available evidence that Cat 3 sites have been similarly assessed for their potential to deliver residential; Also no clear evidence about realistic capacity for residential on Cat 1&2 sites and in many cases those sites are rejected on availability/lack of landowner intention; The extent to which the HELAA has assessed the realistic potential for residential redevelopment on existing employment sites and particularly Cat 3 is not consistent with NPPF para 125; No systematic analysis of the constraints/ways to overcome them for rejected sites (CAR para 2.51-2.53).

7.1. Background Paper 6c Employment Sites (BGP.006c) explains the approach to assessing employment sites.

7.2. In summary, Category 1 & 2 sites have all been re-assessed in the ELNA (BGP.006a) for their ongoing suitability for employment use. They are also considered in HELAA Table A for suitability for residential use (HEA.004 is the most recent version). Landowner intentions for these sites were also checked through regular engagement with landowners during the development of the LP2040, through a variety of channels including consultations, engaging in the HELAA and ELNA, and through landowner engagement regarding site allocations.

7.3. Commensurate with the scale and success of economic growth and innovation in Oxford, there is presently high demand for employment uses, especially R&D uses, in Oxford. This situation influences viability of developing sites because it affects land

values. Currently R&D commands a higher land value than residential, so the response from the majority of landowners (other than those of sites already expected to deliver housing, such as the hospitals), especially of Cat 1 sites, has been that they do not intend to redevelop employment sites to convert them to residential. Additionally, the landowners of the main employment sites only have an interest in employment uses. They do not see themselves as housing developers neither are any parts of their sites surplus or unused that could be released for residential use.

- 7.4. The Cat 3 sites have also been reviewed through the preparation of the Local Plan. Category 3 employment sites are typically a lot smaller and more dispersed across Oxford than the Category 1 or 2 sites, so a slightly different approach was taken to assessing them. Firstly, a desktop assessment was carried out, to review the Cat. 3 sites and identify whether there were any significant changes to the site since the last assessment (for LP2036), that might warrant reclassification of those sites. This was followed up with site visits to review the site assessment where the desktop assessment indicated there might be significant changes. For the majority of Cat 3 sites there were not significant changes to the assessment conclusions. Also see Background Paper BGP.006c about how employment sites were assessed.
- 7.5. The assessments confirmed that the majority of Cat 3 sites are in active current use as employment uses. They are rarely disused, or under-used, because land supply is so limited in Oxford that such sites do not stay vacant in the Oxford context. As such it would not be proportionate or reasonable to contact them all about redeveloping the site when they are in active use and have not given any indication that they are considering redevelopment (in the same way as it would not be reasonable to contact every single landowner of other land use types, such as all retail, or all open spaces, where they are in current active use).
- 7.6. Furthermore, because most have a small site area and are likely to only accommodate a modest quantum of development, should a landowner wish to pursue new residential development they are likely to come forward and be supported as windfall rather than through the Local Plan or HELAA process. The proposed spatial strategy and associated policies will continue to enable that to happen, as such the contribution to the supply from Cat 3 sites is already factored in via the windfall assumption. As discussed earlier in this Council Response, small windfall sites inherently aren't put forward by landowners in advance, they tend to be more opportunistic in response to change in circumstances.
- 7.7. The CAR suggests actions and mechanisms to re-use 'low-grade' employment land, but as explained in BGP.006c, those uses are often important to residents and local businesses (for example, car mechanics and builders yards). They also provide a strong

contribution to the local economy, whilst providing a range of employment opportunities. In addition, if they were to move there are very limited alternative options for them to relocate within Oxford. This is for a range of reasons including site availability, cost of relocation that may be prohibitive and ensuring they can continue to serve their communities.

7.8. Generally, limited numbers of Cat 3 sites are expected to come forward for change of use to residential, because of the current demand for employment uses in Oxford. The windfall assumption already reflects the few small employment sites that have come forward for housing. It is also noted that the CAR does not identify any specific Cat 3 sites to add to the HELAA or to reconsider the assessments for, suggesting that no realistic opportunities for residential on such sites were identified in the CAR process and that the proposal was theoretical and not based on the evidence.

8. Open air sports facilities: CAR comments that the Playing Pitch Strategy does not assess needs for golf courses/facilities; the Strategy has not been published and appears to remain in draft form, and only covers the period to 2036; why has it not been finalised and published, and what actions have been taken to act upon the Strategy's recommendations for intensifying use and access to existing facilities; There are opportunities for redevelopment or partial redevelopment of more of the sites in the Playing Pitches Strategy, and swap opportunities to release sites should also be considered.

8.1. Oxford's Playing Pitches Strategy 2022-2036 document (not draft) was published on the website alongside the Regulation 19 consultation and is in the examination library as GRE.005. Sport England were fully involved in development and undertaking of the study, including at the scoping stages, and did not raise any issue with the sports that were scoped into the study.

8.2. The study scoped in playing pitches, involving governing bodies of these key sports. These sports generally have recognised clubs and an easily measurable demand. It is also often possible to reconfigure these pitches for alternative uses and there is some flexibility in the long-term to meet varying demands. There are other sports which are not played on sites defined as 'pitches'. Golf is an example of one of these sports. These sports were not scoped into the playing pitch study. Any understanding of demand and capacity of these would need to be bespoke and cannot use the same methodology. They are protected for outdoor sports, and also often for other GI reasons, and if they were to come forward would need individual assessment and plans for replacement. It is also of note that no golf courses have been put forward by landowners or in call for sites.

8.3. The study makes recommendations in relation to opportunities for enhancements, and these help to inform discussions around S106 from developments at the planning application stage, assisting delivery where appropriate. There is no suggestion in the report that intensification would lead to a surplus of pitches of the plan period. Rather, a certain amount of intensification is needed to help to meet needs.

8.4. The HELAA assesses open spaces, however, many are in private ownership (such as private sports pitches), so the local plan cannot enforce swaps of land. Where there is a willing landowner this has been supported, and indeed the LP2040 does include a site allocation where the pitches are required by the policy to be re-provided on a different part of the site to deliver residential development (SPE17 Jesus and Lincoln College Sports Ground).

8.5. The other scenario proposed in the CAR is for land swaps to move playing pitches (and other green spaces such as allotments) to sites outside of Oxford in order to free up sites for residential development. It is not considered to be practical or feasible to swap to sites outside of the city in most instances because then those uses would be further away from residents or users, and it would not support people being able to access them via walking or cycling. Pushing community uses to the outside edge of the city would completely undermine approaches to good urban planning.

8.6. Conclusion: land swaps have already been explored and supported where there is a willing landowner; the playing pitch strategy is proportionate and appropriate.

9. Allotments: CAR suggests that allotment waiting lists should be published to justify the comments about there being high demand; should consider land swaps to move allotments outside of the city in order to unlock these sites [PPG 03-21]

9.1. Allotments are identified as a core part of the green infrastructure network for the varied sustainability benefits they provide. They are particularly important in locations where residents do not have sufficient access to private gardens, allowing them to grow food and also to socialise with others and benefit from time in nature. Allotments are also important to support the wider GI network by providing spaces for nature to move through the city and can contribute to wider place-making, particularly where these spaces have been identified as valuable to historic environment.

9.2. As well as potential data protection issues, publishing the waiting list would not be particularly helpful in assessing the level of demand. The number of people on waiting lists is only one factor that has been considered in the approach to the protection of

allotments. There are other factors too, such as how regularly plots turn over - a site with very few people on the waiting list may still have a long wait time for access if it is a popular good quality site so plots do not become available very often. Indeed, there are also other important sustainability reasons for protecting allotment sites which have been factored into the overall approach to green infrastructure.

- 9.3. For example, lack of access to private gardens is an issue for many areas in the city, as evidenced in the GI Study (2022). This means other types of open space are particularly important for helping to meet health and wellbeing of these communities, especially those whose vulnerabilities are compounded by other challenges like socio-economic deprivation. The Local Plan also has an objective of supporting residents to live sustainable and healthy lifestyles which means supporting them to walk/cycle to meet their daily needs. Relocating allotments to areas outside the city (as proposed by CAR) would not only negatively impact those without access to private gardens but also exacerbate reliance on cars, particularly where sites external to the city cannot be easily accessed by public transport. The nature of allotments means they need to be visited regularly through the growing seasons so it could create a lot of extra journeys and could reduce the attractiveness and the amenity value of the allotment.
- 9.4. Many of the allotments in the city are also subject to environmental constraints, for example, within areas of flood risk that would not be suitable for locating more vulnerable uses such as housing even if the allotments were to be moved the site could not be redeveloped for housing. These spaces can also help to contribute to biodiversity, for example, several spaces have been identified as forming a part of the wider Nature Recovery Network of the county, and allotment sites are also likely to have benefit to wildlife in less formal ways. Allotments can therefore make an important contribution to the natural environment as multi-functional green space within the wider GI network—and for this reason, the G1 policy protects them as one part of the network.
- 9.5. Furthermore, in all cases except for one allotment site, there is no landowner intention to develop or release the sites. Even if there were a landowner aspiration to develop, allotments are protected nationally, and permission is needed for their release via the Secretary of State so it is not a decision that can be made via the local plan. Once lost to other uses, finding replacement allotments would be very challenging because of the competing demands for land in a constrained city such as Oxford.
- 9.6. *Conclusion: it is appropriate to protect allotment sites for a whole range of sustainability reasons, and for them to be located within Oxford close to the communities that use them.*

10. City Council-owned sites: CAR suggests that there does not appear to have been any systematic appraisal of potential for redevelopment of Council assets for housing as part of LP2040 process

10.1. Council assets are developed through a variety of processes including regeneration projects (for example such as those in Blackbird Leys and Oxpens), Affordable Homes Programme (for example Knights Road, Cumberlege Close), and through the Council-owned housing company OX Place (Between Towns Road, Sandy Lane Recreation Ground). The Council fully understands the need for new homes in Oxford and the complexities of a Local Plan which results in some degree of unmet need. Other teams across the Council have fully supported the preparation of the Local Plan and indeed they also have their own remits and targets to deliver new homes.

10.2. Overall, there is a clear shared ambition to deliver new homes wherever possible and to prioritise delivery of new homes on appropriate council-owned sites. This is demonstrated by the evidence base; for example, in 2022/23, 83 of the 273 affordable homes completions that year were on Council owned land. Many city council-owned sites are assessed in the HELAA Table A, and 24 sites contribute to the HELAA capacity (sites in Table B). 12 of those sites are also LP2040 site allocations.

10.3. Table 1 below is an extract from Table B to show the City Council owned sites contributing towards the capacity identified in the HELAA (most recently updated in the Addendum HEA.004). Note that in this Table, for the Knights Road and Simon House sites, the planning application status has been updated from that shown in the HELAA Addendum prepared in March 2024, to reflect that Knights Road has since commenced construction and Simon House construction has completed. It is only the planning application status of these two sites that has changed not their HELAA conclusion or capacity.

Table 1: City Council owned sites which contribute to the capacity calculation for LP2040

Helaa site ref	Site Name	No. of Homes	Planning application Status (updated to May 2024)	LP2040 site allocations
008a	Bertie Place Recreation Ground	30	Full application stage	SPS8
009	Blackbird Leys Central Area	197	Under construction	SPS9
016	Cowley Marsh Depot	80	None	SPS11
018	Diamond Place & Ewert House	180 (100 on	None (100 is for the OCC owned part)	SPN3

		Council land)		
020a	Elsfield Hall and Cumberledge Close	26	Built out during plan period	n/a
039	Northfield Hostel, Sandy Lane West	61	Hybrid Consent	n/a
052	Railway Lane, Littlemore	90	Full consent	n/a
061	Union Street Car Park	20	None for undeveloped part of site (20)	SPE16
064	Warren Crescent	10	Built out during plan period	n/a
076	Oxpens	450 (337 on Council land)	Outline application for 337 (OxWED owned parts)	SPCW5
112b1	Land West of Mill Lane	80	Full Consent	SPE11
113	Redbridge Paddock	200	None	SPS15
114d	Marston Paddock	40	Under Construction	SPE12
289	Sandy Lane recreation ground	300	None	SPS6
389	Land at Meadow Lane	29	Full application stage	SPS13
593	Knights Road	84	Under construction	SPS10
599	Former Murco Garage, Between Towns Road	38	Built out during plan period	n/a
602	Halliday Hill/ Westlands Drive	15	Full Resolution to Grant	n/a
603a1	Gibbs Crescent	62	Under construction	n/a
603a2	Simon House	30	Built out during plan period	n/a
606a1	Former Rose Hill Community Centre	25	Built out during plan period	n/a
606a2	Former Rose Hill Scout Hut	18	Built out during plan period	n/a
625	East Oxford Community Centre	12	Under construction	n/a
626	East Oxford Games Hall	14	Under construction	n/a
	Total on City Council land: 1,898 homes			

10.4. The sites in City Council ownership which are assessed in HELAA Table A, but which are not being taken forward for residential development at the present time, are for a number of reasons including as follows:

- Sites protected as public open space and/or GI eg. Southfield Park public open space
- Sites are in active use, eg allotments sites (also protected as GI), and the telephone exchange.

10.5. Conclusion: A robust process has been undertaken of sites owned by the city council. In the next HELAA update additional text could be added explain this more clearly, as above.

11. Capacity assumptions, density, and approach to estimating development potential: CAR suggests that as the urban design capacity assessments for individual sites are not available then no conclusions can be reached as to whether a rigorous approach to maximising capacity has been undertaken; A Background Paper 'Site Densities and Capacities' is referred to at paragraph 2.2.4, but this does not appear to have been published with the Pre-Submission Draft Local Plan: 2040 unless the reference meant to be to Background Paper 15a 'Site Assessment Process (Urban Design and Assessment of Housing Capacity)'; the density assumptions should be higher for Gateway sites and Conservation Areas; overall higher density assumptions should be applied

11.1. The approach to capacity assumptions, densities, and estimating development potential are explained in the HELAA, section 2.2 (HEA.003) and supplementary explanation in HEA.004. Background Paper 15a also explains the urban design and capacity assumptions made and is the background paper referred to in paragraph 2.2.4 as explaining sites densities and capacities.

11.2. For those sites in Table B that have a site allocation in LP2040, bespoke site-specific analysis informs the capacity assumption which provides the most accurate and up to date information to inform the capacity assumptions. Only where there is no extant planning permission or site allocation, does the HELAA then revert to density typologies to inform the capacity assumption.

11.3. A significant consideration about the capacity calculations, is that a substantial amount of the identified supply of capacity is already fixed, because sites have been built out since the start of the Plan period (2020) and many others are already under construction. The capacity estimate for these sites cannot be increased by altering assumptions or policy approaches. This can be summarised here as follows:

- There are 79 sites in Table B (HEA.004), which sets out the capacity from identified sites. It is significant that 30 of these 79 sites in Table B have either already been completed within the Plan period (since 2020) or are under construction (as at March 2024). This means the capacity assumption for those sites (totalling 2,380 homes) is already 'locked in', so any speculation about capacity assumptions or policy approaches is irrelevant to those sites and that proportion of the identified capacity of Oxford.
- A further 13 sites have an extant permission (or a resolution to grant permission subject to S106) but have not yet commenced construction (capacity 1,358 homes). The planning permissions provide site-specific evidence of a realistic and deliverable capacity for that site, reflects current landowner intentions, viability, and has been concluded as appropriate development for that site by the planning authority: as such it would not be reasonable to try to apply a theoretical assumption about capacity in the HELAA because there would be little evidence that it would/could be delivered compared to the figure in the extant planning permission. Arguably the capacity estimate of those is also reasonably fixed, but as they have not yet commenced construction the proposals in the CAR have been explored.
- Of the 36 residential sites in Table B which don't have planning permission, all but one site (i.e. 35 sites / 2863 capacity) have a site allocation policy in LP2040 so have been subject to detailed site-specific testing of capacity. The process for identifying capacity assumptions in the site allocation policies, is explained further in The Site Assessment Process (Urban Design and Assessment of Housing Capacity) background paper (BGP.015a), including site assessment (incorporating Sustainability Appraisal) proformas and site-specific urban design assessments. The policy approach for each of these sites is explained in the supporting text for the site allocation.

11.4. The site allocation figures were also informed by site-specific urban design assessments, which considered site constraints and opportunities in more detail to ensure the assumptions are based on the most up to date evidence for each site. All of the key conclusions from the urban design assessments and decision-making related to the capacity/minimum residential figure, is then explained in the site allocation policies and supporting text, including references to other relevant policies that will influence development or capacity of the site (eg flood risk, urban green factor, heritage constraints etc). Through the local plan process we also engaged with landowners to test the capacity assessments of sites.

11.5. It should also be noted that the site allocation policies do not restrict or cap the level of development onsite if an acceptable proposal is put forward at planning application stage. Indeed we are aware that some landowners are already discussing higher numbers for sites in confidential pre-application discussions but we do not believe that those assumptions would be a robust basis for the HELAA or the site allocations policies because they have not been demonstrated that an acceptable and policy-compliant scheme can be delivered at those levels: it may be the landowners' aspiration and starting point of the discussions but the final proposal if it ultimately gains planning permission may look quite different, which is just the nature of the planning system.

11.6. This leaves only 1 site in Table B where there is no planning permission or site allocation, so a density typology has been applied to inform the capacity assumption for Table B. Site #613, which has an estimated capacity of just 12 units. Site #613 is "suburban" typology, so the comments in the CAR about the density for Gateway sites and Conservation Areas does not apply here. As set out above, the other sites (besides #613) all have more detailed site-specific bespoke capacity calculations, with assumptions informed by extant planning permissions and a significant proportion have even already been completed or construction commenced, therefore amending the density typologies would have little or no impact on the capacity estimate for the plan period. The bespoke capacity calculations have regard to the specific contexts and relevant material planning considerations for that particular site, so it would not be appropriate to supersede that with a generalised typology approach, such as applying higher densities in Conservation Areas, which clearly wouldn't take into account factors such as the sensitive character of the area and significant heritage assets.

11.7. Conclusion: A robust and rigorous approach is applied to the capacity assumptions, no further changes, and retain current approach of bespoke site-specific calculations for capacity and retain current density typologies for the residual sites.

12. Student accommodation: CAR concludes the HELAA approach is reasonable

12.1. Noted

12.2. *Conclusion: no amends suggested or needed.*

13. Overcoming constraints: CAR suggests it is unclear where further work has been done to identify how constraints could be overcome; sites which have been assessed and rejected in various HELAAs don't have programmes or interventions to overcome constraints; Should have a more proactive approach.

13.1. The Local Plan evidence base is extensive and identifies a wide-range of various constraints and opportunities. The CAR document is limited in providing justification for the position being taken and does not demonstrate any understanding of the Oxford context. For example, sweeping statements are made about further work and identifying how constraints could be overcome and no specific site examples are provided in the Capacity Assessment Report to illustrate the sorts of sites or constraints where a different approach would be more appropriate.

13.2. Those sites in Table A with constraints impacting on the Suitability Column are often related to insurmountable flood risk (such as no possible safe access and egress for residential, or a site being almost wholly in FZ3b greenfield) which covers large parts of the west of Oxford; or access to the site. Moreover, there are greenfield sites suggested with no vehicle or formal access due to either being surrounded by green space or being surrounded by houses. There are also some sites where the landowner has considered relocating but this has not been progressed.

13.3. Conclusion: Add additional commentary to future iteration of the HELAA report to explain opportunities for interventions or why it's not feasible, to set out more clearly how satisfying the Guidance.

14. Non-implementation discount: CAR suggests that the principle of a discount is overly-cautious; the 10% figure is unsubstantiated

14.1. A 10% discount is applied to the capacity from identified sites in Table B (excluding those sites which have already built out) as a buffer to account for potential non-delivery of identified sites. This is a proportionate approach in a constrained city with a capacity-based housing requirement, as established at the Examination for LP2036.

14.2. Conclusion: the buffer is explained further in HELAA Addendum (page 3). It is justified as a matter of judgement and is reasonable.

15. Timescales for development: CAR suggests that there is little information about the overall housing delivery trajectory that results from the HELAA timescales, it is left to the reader to calculate the level of housing delivery in each 5yr period; Lack of analysis on the effects in terms of the implications for delivery rates and completions; points towards a back-loaded housing trajectory.

15.1. This is a presentational point, the figures are all available, and show a reasonable distribution of delivery across the plan period.

15.2. For ease of reference the 5-year totals from identified sites in Table B (HELAA Addendum HEA.004) are set out in Table 2 below. Note that this is only the totals of sites listed in Table B, so does not include contribution from windfall and small sites.

Table 2: Estimated housing delivery in each 5-year period

Delivery period	Years 1-5 (2020/21- 2024/25)	Year 6-10 (2025/26- 2029-30)	Years 11-15 (2030/31- 2034/35)	Years 16+ (2035+)
Estimated number of homes from identified sites in Table B	2,047	3,086	2,671	214

15.3. Conclusion: 5-year totals can be added to Table B in the next HELAA update. Also add trajectory as a Main Modification to H1 (also reproduced in the HELAA Addendum)

16. Windfall: change in HELAA method that means the older windfall figures (pre 2016/17) are not consistent with the newer definition now used; a higher windfall rate could be justified

...the Council's latest Authority Monitoring Report April 2021 – March 2022 (December 2022) (AMR) identifies a windfall dwelling delivery rate of 136 dwellings per annum (see Table 19: Oxford's Housing Land Supply 2022/23 – 2026/27). The Housing Need and Requirement Background Paper (BP1) for the Local Plan: 2040 (Preferred Options) states (un-numbered paragraph at page 6) that the capacity arising from windfall development is assumed to be 127 dpa. This figure is said to have been drawn from the HELAA analysis in 2022.

16.1. The windfall calculation is explained in greater detail in the Addendum page 2 (HEA.004), supplementing the explanation in section 2.3 of the HELAA (HEA.003). The table at para 2.3.6 of the HELAA shows that the windfall has been calculated drawing on completions data from 2016/17 onwards, earlier data (referenced above) is not part of the calculation.

16.2. The annual rates of 136 and 127 queried in the CAR simply reflects the latest completions data used at that time. 127 was calculated at the time of the 2022 Interim HELAA update, whilst 136 was the figure agreed at the time of the LP2036 examination, for which the 2019 HELAA was the most up to date.

17. Potential sources of Housing Land Supply

CAR 3.14 Of the 381 Rejected HELAA sites, 27 were not tested for residential. These were largely existing employment sites (of various categories)

17.1. The sites referred to in this comment are not specified so we cannot respond to individual cases. The reasons for the HELAA not taking forward certain sites for residential testing include the fact that there may be no landowner interest in pursuing residential site allocations. It may also be that the principle of residential development being established on some smaller employment sites by general policies of the LP2040. The existing LP2036 allows for conversion to residential already.

18. CAR 3.17 117 HELAA sites were deemed available. 98 of these sites were concluded overall to be Accepted by the HELAA for housing. 19 sites identified as available were then Rejected by the HELAA in its conclusions as having potential for housing.

18.1. As above, unfortunately the exact sites referred to in this comment are not specified so we cannot respond to individual cases. We have applied the same filter to Table A in attempt identify which sites are being referred to, to explain those assessments in more detail.

- #52 Railway Lane was rejected in the LP2036 because of insurmountable environmental constraints related to biodiversity onsite. Subsequently this was removed by the landowner and a planning application submitted. Since the HELAA was published this has since gained planning permission, so in the next HELAA update this site would now show as accepted for residential use and would be counted in the capacity in Table B).
- #112a2 and #115 were submitted in call for sites but the Green Belt assessment found the parcels to be mainly high impact on the integrity of the Green Belt, so are not suitable due to unacceptable impact on integrity of Green Belt.
- #204 East Oxford Bowls Club has landowner interest but it has GI function, and also former sports use so would need to demonstrate that use is either surplus or can be replaced and the landowner has not demonstrated either of those things.
- #263 Oriel College Sports Ground – Landowner confirmed focusing on other land holdings, no current intention to develop.
- #300 St Clements Pullens Lane Allotments – landowner interest in developing but site has important GI and access constraints, also would need government approval.
- #347 is a wider area which includes site #115 (high impact green belt) plus approximately half the site is greenfield FZ3b
- #390 site is c.90% fz3b greenfield, and is also constrained physically by the railway line and A34 with poor access down a track and over the canal. Similarly #468a2 is 80% FZ3b greenfield and has access issues.

- #623 Wychwood Tennis Courts – active open-air sports use, no demonstration surplus.

18.2. It is also of note that of those sites listed when we applied the filter, where there has been landowner submissions in previous call for sites, none of those have subsequently followed this up by submitting omission sites, or planning applications, or challenged the HELAA, indicating that perhaps the commitment to develop was more testing the water than a commitment to delivering the site.

18.3. Several of the sites in the filter are also in active employment use, and majority are Cat 1 sites where the landowner has confirmed they intend to retain/redevelop for employment hence the HELAA identifies Available for Economic use; for example #401 Littlemore House, 497 Mini Plant Oxford, #587 Arc Oxford, #607b Botley Road Retail Units (also site surrounded by FZ3b so access/egress issues).

19. CAR 3.18: 475 HELAA sites were concluded to be achievable (viable) for future development. Only four potential sites tested by the HELAA were considered not to be achievable for development in the plan period.

19.1. Noted. The fact that only four sites (from 475) are identified in the Capacity Assessment Report, illustrates how the approach to achievability in the HELAA has not caused sites to unnecessarily be rejected. Furthermore, of those four sites identified, in all cases the site was not available due to no landowner intention. There are no sites in the HELAA that are rejected on the basis of achievability alone. The HELAA methodology is robust and in accordance with national planning policy and legal requirements.

20. CAR 3.20: a) 27 predominantly existing employment sites were not tested for residential use in the HELAA at all. This is a missed opportunity.

20.1. As above, the 27 sites referred to are not listed in the report. It is assumed that this point refers to sites which state “suitability for residential is untested”. This reflects that there is no landowner intention or even interest in developing residential on that site. However, should the landowner position change then the policy framework is clearly permissive of residential development for those sites. A HELAA assessment would not prevent any such development; it is clearly stated that a HELAA is only ever a snapshot in time, reflecting the information at that point in time. Whilst the Local Plan is being prepared on the evidence available, planning applications can be made at any time.

21. CAR 3.20: b) lack of availability on 58 otherwise suitable sites led to their ultimate rejection ... it is not always clear in the HELAA analysis as to the potential for flexibility in making an otherwise suitable site available

21.1. We have made reasonable and proportionate endeavours to engage with landowners to retain an up to date understanding of their intentions for their sites, including where there is interest in bringing forward a site if obstacles can be overcome. There are many reasons why a landowner may not be looking to develop their site for residential development. Some of the typical reasons which are specific to the Oxford context are, as noted in the HELAA Addendum (HEA.004, section (d) about why there is risk to delivery of sites):

- The recent viability balance of land uses in Oxford means that residential development or student accommodation, whilst historically such uses held the most appealing land values, that is not currently the case and R&D is currently generating better viability;
- College and university-owned sites are often viewed by the landowners over very long timescales (stretching beyond the plan period) and there is often not the same drivers to develop sites that you would get on other sites;
- A large proportion of residential development in Oxford is small scale because of the nature of brownfield infill or changes of use, so inherently these tend to be more opportunistic which means landowners don't tend to plan so far ahead (hence the trajectory in H1 shows lower identified capacity in the latter years of the plan), but also the permissive nature of policies means it's less significant for landowners in Oxford to be concerned about "getting their site in the HELAA" or getting a site allocated as a guarantee, compared to developers of large sites in more rural districts where it would be crucial to get the security of getting a site allocated.

21.2. It is therefore not realistic or reasonable for the CAR to suggest that in the HELAA that capacity will come forward with any certainty on sites where a landowner is saying the site is not available and there is no willing landowner. Should sites become available during the plan period any planning application would be determined in accordance with the policies in the rest of the plan.

22. CAR 3.32: c) landowner intentions are reported in a cursory fashion within the HELAA and there is little available evidence to indicate just how strenuous or extensive the efforts have been in all cases to obtain landowner indications of availability *CAR 3.111: ... there are no published log records of contacts made, discussions held, consistency in the form and recording of contact (for example a standard pro-forma approach), or*

understanding of the timing of when landowner or developer contact was made and updated;

- 22.1. We have made best endeavours to engage with landowners to retain an up to date understanding of their intentions for their sites. This includes formal engagement such as call for sites, and OLP2040 Regulation 18 and Regulation 19 consultations (see Consultation Statement (CSD.003). To assist in testing the robustness of the evidence base as the plan was prepared, we have also undertaken supplementary engagement directly with landowners or their agents on specific issues and topics.
- 22.2. For example when preparing the draft site allocation policies; encouraging landowners at pre-application stage to identify their site(s) as available in the HELAA; engagement in preparing background studies such as the viability and student accommodation studies; joining regular scheduled meetings where sites could also be discussed (such as liaison meetings with the County Council); and regular monitoring work to check progress of sites. Whilst some of this is not specifically referenced in the HELAA or captured in a bespoke proforma (that the CAR suggests), it all contributes to maintaining an up to date understanding of the sites and the landowner intentions. Where a landowner has made formal submissions via a consultation or call for sites then that information is all published, and is reflected in updates to Tables A and B.
- 22.3. There are also many instances in the HELAA where a site is in active use but is included in Table A because it has been put forward by a third party (including the previous Cundall Report) who is not the landowner, or through a desktop assessment to identify sites. If a site is in active use, such as for employment or community uses or health or education uses, and there has been no indication of landowner interest (either directly, or indirectly via pre-application discussion) then it would not be proportionate to contact all of those landowners. Rather it could alarm or worry current occupiers. Therefore, a proportionate process has been carried out including the publishing of the Call for Sites information on the website, and the pre-application advice service, if there were any interest at all, plus the public advertising of the Local Plan consultation stages.
- 22.4. Some elements of engagement with landowners would be of a confidential nature so would not be publishable, such as pre-application discussions or sites where there is a commercial sensitivity. In many places, such as where green field sites are required, landowners pursue site allocations as a means to establish the principle of development. Ordinarily securing a site allocation in the local plan would be an incentive for landowners to make public their intentions. However, in urban areas like Oxford this works differently, because a variety of sites can come forward in accordance with the more general policies of the development plan with an allowance made for these. For some of the very large sites, or sites with more complex

constraints, the site allocations will assist with delivery and also more generally help to demonstrate the land that is available for residential development.

23. Reconsidering the HELAA’s rejected sites

CAR 3.21 In the substantive majority of sites the logic and analysis applied through the HELAA was considered to be appropriate and reasonable. Put simply, for many of the sites that were ultimately Rejected by the HELAA, the assessment process and decision-making appears soundly based.

23.1. Conclusion is noted and welcomed, that in the majority of cases the site assessment in the HELAA is appropriate and reasonable. The HELAA is robust and compliant with national planning policy and legal requirements.

24. CAR 3.24-5: A number of rejected sites were in previous HELAAs or the Cundall report but *there is little evidence of a proactive approach since then to assist in identifying the actions that could be taken to overcome constraints and bring sites forward (PPG 03-21).... This review concludes 24 sites (see Appendix A1 of Review) are worth re-consideration.*

24.1. All sites proposed in the Cundall report have been assessed through the HELAA process, and are identified in Table A, or are included within wider sites assessed in Table A.

Table 3: Council response to sites listed in Appendix A1 of CAR: Summary of the rejected HELAA sites

HELAA site ref	Name	Proposed additional housing potential in CAR	Oxford response
003	Summertown Strategic Site	273-328dw	<p>Multiple land ownership. Land owned by Wadham College is not available during plan period, so St Johns parcel of land cannot come forward. Alternative access not possible due to highways constraint/objection. Landowners contacted and met with to ensure their position understood, but ultimately they cannot be persuaded to bring the site forward at the current time.</p> <p>No change to HELAA conclusions.</p>

052	Railway Lane, Littlemore	36-44	<p>Since HELAA 2023 was published this site has gained planning permission 90 dwellings 21/01176/FUL.</p> <p>Now included in Table B and capacity calculations (see HELAA Addendum)</p>
066	Windale House	37-44	<p>City Council housing. No scope for net gain even if the site were redeveloped (already 27 onsite).</p> <p>No change to HELAA conclusions.</p>
069	County Hall	31-38	<p>Frequent landowner contact to understand position. Currently in use by County Council as offices, with intention to retain for employment use during plan period. 2024 confirmed intentions to lease out County Hall for employment use. Site not available for redevelopment</p> <p>No change to HELAA conclusions.</p>
071	Magistrates Court	29-34	<p>Currently in use as Magistrates Court, no landowner intention to redevelop. Previously considered for development in the West End AAP, but landowner (Secretary of State for Communities & Local Govt) did not pursue it and no intention since then to redevelop, intend to retain for court uses.</p> <p>No change to HELAA conclusions.</p>
078	Telephone Exchange (Speedwell Street)	38-46	<p>Intentions for site have been investigated thoroughly. Site has a long lease which runs until 2037, and no landowner (City Council) or tenant intention to redevelop within plan period. Very complex infrastructure and telecommunications connections to the site which would be very difficult and costly to move, hence no interest in redeveloping the site. Confirmed by landowner 2024.</p> <p>No change to HELAA conclusions.</p>
097	Scrap Yard, Jackdaw Lane	58-69	<p>Currently in active use as scrapyard. No landowner intention (has been checked)</p>

			No change to HELAA conclusions.
*125	Summer Fields School Athletics Site	52-62	Currently in use by school, and landowner (Summer Fields School) has confirmed needed for school operational purposes during the plan period and no intention to release it for development (confirmed 2023). No change to HELAA conclusions.
132	Wildlife Corridor at centre of Southfield Golf Course	246-328	See comments about Golf Course below, in addition this strip of land is surrounded by green space with no access, would not be suitable for development in isolation from the wider site. No change to HELAA conclusions.
292	Southfield Golf Course		No landowner (Magdalen College and City Council) intention to develop the site within the Plan period. Regular engagement with landowner throughout the preparation of the Local Plan, directly and via agents, about sites they own, including those they are intending to develop within the plan period. In addition there are significant outstanding environmental and access issues which would need to be resolved. The Council has commissioned a study about the Lye Valley, which is ongoing due to the need to collect data over annual cycles. No change to HELAA conclusions.
362	Former Cowley Road Bingo Hall	20-23	Site is in active use as a community facility by the Christian Life Centre (landowner) with regular religious events. This is well-used community use in a district centre, with no landowner intention to redevelop. No change to HELAA conclusions.
375	Headington Car Park	35-42	Landowner (City Council) has explored redevelopment options but no intention to redevelop during the plan period because the car park is important to support Headington district centre retail and other district centre

			<p>uses. Parking to support the district centre is also a key issue in the Headington Neighbourhood Plan.</p> <p>Landowner has also explored developing part of the site to co-locate some residential with the parking (either via undercroft parking or putting the parking into a multistorey) but not feasible due to size of site. No intention to redevelop (confirmed 2024).</p> <p>No change to HELAA conclusions.</p>
381	Indoor Bowling Centre, Sandy Lane West	25-30	<p>Site is in active community use by Oxford and District Indoor Bowls Association, who also own the site, and have recently invested in extending the facility (24/00286/FUL retrospective application). No intention to relocate or develop.</p> <p>No change to HELAA conclusions.</p>
398	Land rear of Reliance Way	24-29	<p>Landowner (City Council) confirmed site being retained as public open space, no intention to develop the land (confirmed 2024). It is also Core Green Infrastructure and Oxford City Wildlife Site.</p> <p>No change to HELAA conclusions.</p>
411	Petrol Filling Station and Telephone Exchange, London Road	6-7	<p>Site consists of a telephone exchange hub and a petrol filling station. Both are operational, and the filling station has been refurbished and invested in in recent years. The telephone exchange has a 131yr lease to BT, and the filling station is on a long lease to Waitrose. No landowner intention to redevelop site whilst there are long leases in place.</p> <p>No change to HELAA conclusions.</p>
421	Snooker club, Cowley workers social club & New Testament Church of God	38-46	<p>New Testament Church of God is in active community use and in a district centre. The Church also owns the freehold with no intention to redevelop.</p> <p>Cowley Workers Sports & Social Club is also in active community use in a district centre, and no landowner intention to redevelop. It is also designated an Asset of Community Value.</p>

			No change to HELAA conclusions.
438	Blanchford's Building Merchants/Builders Yard	38-45	Site is in active employment use (building supplies), and no landowner intention to develop. No change to HELAA conclusions.
454	Land Opposite Foresters Tower between Wood Farm Road and Nuffield Road	14-17	Site suitability has been explored but landowner (City Council) concluded not suitable/feasible: it is small site at the base of a tower block which makes it challenging to develop including overlooking issues, and also the open space is needed at the base of the tower block for amenity and for future proofing any future redevelopment of the tower block itself at a later date (no current intention to review the tower block). (confirmed 2023). Site is not suitable or available. No change to HELAA conclusions.
459	Buildbase Watlington Road	87-104	Site is currently in active employment use (Huws Gray Buildbase building materials) within a wider Cat 2 site. Leasehold until 2036 (Grafton Merchanting). No change to HELAA conclusions.
475	Land at Cold Harbour campsite and behind Go Outdoors	87-105	Site is on long lease and no leaseholder or landowner intention to develop. Large proportion is FZ3. No change to HELAA conclusions.
492	Former Blackwells Publishing, Marston Street	48-58	Currently in active employment use Cat 2 site by multiple users/landowners. No landowner intention. No change to HELAA conclusions.
494	Warehouses off Kiln Lane	57-69	Currently in active employment use for manufacturing/engineering. Long-established Oxford-based company Unicol on the site since early 1990s, no landowner intention to redevelop.

			No change to HELAA conclusions.
604	The Royal British Legion, Lakefield Road	13-16	Landowner (County Council) long term intention to develop but complex leasing issues are preventing development with no resolution expected during the plan period because it depends on vacant possession with current tenant refusal. No change to HELAA conclusions.
191 (pt)	Cowley Marsh Playground	35-41	Site is part of Marsh Road Recreation Ground (City Council). Site temporarily used as extension to Cowley Marsh Depot but temporary permission expired and site has been returned to the park including topsoiled and re-seeded as wildflower meadow. Landowner intends to retain as park. No change to HELAA conclusions.

25. Employment land sites

CAR 3.90: *Category 1 and 2 employment sites are referenced as a policy constraint in the HELAA, despite the Plan’s policy E1 indicating a possibility of re-development / intensification to include residential use in future.*

25.1 Noted that the headings in the table could be clearer, we have clarified column headers in HELAA Table A, that policy designations are a consideration rather than a constraint.

25.2 *Conclusion: amend Table A headers*

26. CAR 3.91 *There is no analysis of the potential housing contribution arising from Category 3 employment sites in the HELAA or in the Local Plan despite draft Policy E1’s promotion of release and re-development of employment land sites for housing.... 3.93 should publish a complete list of Cat 3 sites and assess them all including owner/occupier ambitions and relocation opportunities... in order to calculate possible housing capacity arising from release of Cat 3 land.*

26.1. Cat 3 sites are typically so small and dispersed, that it would not be proportionate to include them all, and many would be classed as windfall anyway. It would be contrary to the evidence, and misleading, to attempt to calculate a residential potential from Cat

3 sites where there is no evidence of landowner intention to develop. Similarly it is disingenuous to set out a “broad indication” of capacity from Cat 3 sites because the calculation would be based on so many assumptions with no sound evidence base. Furthermore, the contribution from small Cat 3 sites would already be factored into the windfall allowance, because LP2036 policies already allow for Cat 3 to be converted to residential. As a broad indication of the number of residential completions on small sites: there has been around 70 homes (total) brought forward from former Cat 3 sites since 2020 (out of a total average windfall of 116dpa).

26.2 Conclusion: A further Background Paper (BGP006c) has been produced to explain this further.

27. Sites Accepted as Suitable for Housing but not Allocated

CAR 3.96: 52 sites in the HELAA are ‘Accepted’ but not subsequently allocated ... (3.110). Of those 52, the CAR identifies 4 it suggests could be allocated for higher density development and thus have capacity for 10 or more units, plus 3 further sites that are accepted but not allocated.

27.1. Firstly, it should be noted that it is not disputed that many of these sites are listed in Table B and therefore are counted in the overall capacity calculation if they meet the appropriate criteria, regardless of whether or not they are allocated in the Local Plan. As noted in 3.97 of the CAR, 33 of those 52 sites referred to are built out or under construction so don’t need site allocations.

27.2. The CAR focusses on the 17 assessed as not being likely to provide 10, or sites where there is considered to be additional capacity. The CAR conclusions agree with the HELAA conclusions that 9 of these 17 sites are of insufficient size to realistically deliver 10+ dwellings; the CAR notes that *counting them as small windfall sites appears to be appropriate [emphasis added]*.

27.3. The CAR identifies 4 sites it considers have potential for capacity greater than 10 units (Table 3.3 of CAR) and 3 (in text not the table) of these 17 sites which the CAR says should be allocated. The sites in Table 3.3 are in the city centre or district centres, so it is asserted a higher capacity assumption should have been used, bringing their capacity to over 10. The CAR acknowledges that one of the sites is 0.01Ha, so even at a higher density it would not have a capacity greater than 10, so that is not included in the CAR Table 3.3. Table 4 below explains why the sites listed in CAR Table 3.3 have not been allocated in the Local Plan. It should also be noted, as in the HELAA report, that the threshold set in the HELAA is 0.25ha and a capacity higher than 10 would generally only be assumed achievable if it has been tested through a planning permission that the site

can acceptably accommodate that many units. The sites are all constrained brownfield sites with existing development on, so it is overly simplistic to just apply a density multiplier because there are existing uses on site to include in any net gain calculation, and often additional onsite requirements.

Table 4: Council response to sites in CAR table 3.3

HELA A ref	Name	CAR proposed capacity	Council Response
456	242-254 Banbury Road	17-21	No landowner intention to develop. The upper floors have already been redeveloped, the remaining ground floor only is not likely to achieve 10+. Would be counted as windfall.
611	1-3 Cambridge Terrace	10-12	Existing development onsite already, and site is only 0.1ha, so net gain is unlikely to achieve 10+. Would be counted as windfall.
616	Osney Warehouse	39-47	Currently occupied by OVADA. This existing community use onsite would need to be reprovided, so alongside this any net gain is unlikely to achieve 10+ (and has not been put forward by landowner).
618	3, 3A, 4, 5, 6 South Parade	17-21	Landowner intention to develop for mixed use so unlikely to achieve 10+ dwellings

27.4. There are then a further 3 sites listed in the CAR, which the CAR says should be allocated and which it says have a greater capacity than that assumed. As set out in Table 5: Site 329, due to lack of capacity for net gain, is listed in Table C, whilst sites 613 and 234 are counted in Table B capacity calculations, and site 234 is also part of a site allocation. All sites listed in Table B are counted in the capacity calculations irrespective of whether they are site allocations, so Table 3.4 in CAR is not correct to imply there is additional uncounted capacity from acceptable sites.

Table 5: Council response to sites with CAR suggests should have site allocations

HELA A ref	Name	CA Report proposed capacity	Council Response
329	Valentia Road	19-23	Site is assessed as being Suitable, Available, and Achievable but landowner indicates site capacity is likely to be less than 10 so site is listed in Table C and would be counted as windfall.

613	Sites adjacent to east of Osney Bridge	12-15 (gross. Some existing resi on site)	Not a site allocation due to site size, but is already assessed as meeting HELAA criteria and the potential capacity is counted in Table B (12 units).
234	Jesus College Playing Field	82-98	This site is already assessed as acceptable and is part of site allocation SPE17 in OLP2040. The site allocation map mistakenly did not show the entire site. However, the policy allocation is very clear that playing pitch use would need to be retained or re-provided and that an assumption has been made that pitches will need to remain on the site, especially given the sensitivities of the site and need to retain a green setting in any event.

28. Site selection process / Approach to site selection

CAR 4.14: In assessing the site selection process undertaken by OCC and documented in the supporting evidence base of the constituent elements of Background Papers 15a and 15b respectively, the overall approach appears thorough and comprehensive. [emphasis added]

28.1. Comment noted and welcomed.

29. *CAR 4.15: The site allocations are based on the findings of the three stage process related to national policy and physical/environmental constraints; the objectives and criteria of the Sustainability Appraisal, documented in individual assessment proformas (which form part of the published evidence base); and a deliverability assessment including landowner engagement to ascertain realistic intentions for development. Cumulatively, this process ensures an extensive testing of the HELAA sites.* [emphasis added]

29.1. Conclusions noted

30. *CAR: With respect to Background Paper 15b it remains unclear whether this is the ‘final’ version given that the published version is marked with track changes.*

30.1. It is assumed this comment is in reference to the underlining in the document, which is intentional formatting that mirrors the formatting from the consultation document.

31. *CAR: The urban design capacity assessments which are said to have informed site capacity and relevant site allocation policies undertaken for some sites on a “case by case basis” (setting aside those with existing planning consent) raises the question as to why capacity*

has not been assessed for all site allocations identified for residential uses using these assessments? ... critically, there is an absence of any supporting evidence related to the urban design capacity assessments undertaken for the individual site allocations.... This is a concern and prevents a thorough, robust critique of site capacity estimates that accompany the Local Plan 2040 site allocations.

31.1. Sites being taken forward for site allocations were assessed in greater detail, including urban design assessment (unless extant planning permissions), other site capacities were assessed using a density multiplier, which is a proportionate approach. The urban design assessments were intended to inform internal discussions, and all the key points and decision-making is set out in the site allocation policies and supporting text, including references to other relevant site considerations that will influence development or capacity of the site (eg flood risk, urban greening factor, heritage constraints etc). The commentary in relation to the site allocations draws from the site assessments. There is sufficient information and clarity in the commentary to explain assumptions made about capacity.

32. Proposed Site allocations

CAR 4.32: Overall, our review of the site allocations concludes that the majority of the proposed allocations represent appropriate opportunities for residential development, whether in full or as an element of mixed uses, with reasonable identified minimum housing capacities... It is recognised the majority of sites have been tested previously through the Local Plan 2036 process and some more recently via the planning application determination process. On this basis we do not raise concerns with the majority of the proposed development allocations or their estimated housing capacities.

32.1. Comments noted, and welcomed that the testing to inform the site allocations has been thorough and appropriate.

32.2. The CAR identifies just 3 sites where it queries the capacity assumption in the site allocation policy. The key factors considered in each site allocation are set out in the supporting text to the policy. It is also worth noting that the figures in the policy are a minimum expectation and not a cap, if a planning application can demonstrate that a higher capacity can be accommodated within a policy-compliant scheme. Table 6 below summarises the Council response to the CAR suggested revisions to the capacity assumption.

Table 6: Council response to proposed alternative capacity for allocated sites

	Site allocation minimum capacity	Proposed alternative capacity in CAR	Council Response
CAR 4.38- 4.41 Kassam Stadium & Ozone Leisure Park SPS2	275	289-371	The lower end of the CAR proposed range is very similar to the minimum capacity given in the site allocation policy. The figure in the policy is reasonable and appropriate, to reflect the constraints and other considerations identified in the policy/supporting text.
CAR 4.43-4.46 Overflow car park SPS3	77	119-153	The figure in the policy is reasonable and appropriate, to reflect the constraints and other considerations identified in the policy/supporting text, including an area of flood zone 3b and a buffer required next to the railway line and the brook.
CAR 4.47-4.53 Jesus Lincoln College Sports Ground SPE17	52	118	Capacity figure takes account of retaining a green buffer to protect adjacent listed buildings and conservation area, and also the need to retain sports provision on the site. The site allocation policy notes that more of the site could potentially be developed, depending on ground sharing arrangements, but at the time the Plan was drafted the landowners had not clear plans for replacing the pitches, so the capacity assumption assumed they were to remain. The site allocation figures are not a cap so can be exceeded if circumstances change.

33. Proposed Allocation Sites Where Residential is Supported but No Housing Supply Identified

CAR 4.56: 12 allocations identify no minimum housing capacity, primarily Category 1 employment sites and hospital/medical research sites ... 4.61 it is perhaps unrealistic for the sites to be considered for significant residential given their importance and contribution to employment land supply ... 4.62 Similar principles apply in respect of the hospital and healthcare sites which remain the operational focus for these specialist activities although recent evidence of employer linked housing at a number of the hospital sites indicate the realistic potential for such housing delivery....This inconsistency fails to

take account of 766 dwellings which the HELAA identifies as the housing capacity [at those sites]

33.1. There are a small number of sites whereby a capacity assumption has been made in the HELAA, but no minimum capacity is given in the site allocation policy. This applies mainly to sites of the hospital trusts. Table 7 below illustrates that the “proposed” capacity is already counted in the HELAA capacity calculations. The reasons why the figure is not specified in the site allocation policies are set out here.

33.2. The health care function of the trust will remain of primary importance, and just because the trusts’ sites are likely to deliver housing over the plan period, it is not considered that they should be constrained by a policy requirement to do so. They need flexibility should their operational needs for their sites change over the plan period. Another complication is that the trusts have provided a number of homes they are confident they will deliver, which can be included in the HELAA, but the exact configuration and spread of this housing delivery across the trusts’ various sites is not fully decided on. For example, the additional number of new homes assumed at the John Radcliffe may in part be delivered on the Churchill or NOC, and the housing assumed on the Oxford Health NHS Foundation Trust sites may be spread in various ways across their sites.

33.3. There is only one site aside from the hospital trusts sites where this applies, which is Canalside Land, Jericho. The HELAA assumption is based on the planning permission granted, so is appropriate to include. However, the site requires significant investment and it has not yet come forward in spite of the planning permission. Its complex nature and viability issues means that a new application may be required and the number of homes delivered cannot be certain.

Table 7: Assumed capacity for allocated sites which do not include a minimum capacity figure

Site	HELAA assumed capacity	Council Response
<i>John Radcliffe Hospital</i>	<i>618</i>	Although no minimum housing requirement is set in the site allocation, Table B clearly sets out what capacity has been factored into the capacity calculations for the Plan. (618)
<i>Warneford Hospital</i>	<i>70</i>	As above, capacity is counted in capacity calculations for the plan (70)
<i>Manzil Way Resource Centre</i>	<i>10</i>	As above, capacity is counted in capacity calculations for the plan (10)

<i>Slade House</i>	<i>50</i>	As above, capacity is counted in capacity calculations for the plan (50)
<i>Canalside Land, Jericho</i>	<i>18</i>	As above, capacity is counted in capacity calculations for the plan (18)

34. Appendix 2 of CAR: Sites not assessed by the HELAA process

34.1. Appendix 2 of the CAR lists 12 additional sites which are not currently assessed in the HELAA, as summarised in Table 8 below. These sites have all been reviewed and added to the HELAA Table A for assessment against the HELAA criteria (see Table A of HELAA Addendum HEA.004). It is right that they are included in the assessment for completeness, but ultimately all of them fail to meet the HELAA assessment criteria and are not appropriate to include them in the capacity calculation for Oxford, for various reasons as summarised in the Table below for ease of reference. Many of these criteria are also explained earlier in this report, for example they are unlikely to achieve the minimum 10+ dwellings, and protected Green Infrastructure.

34.2. The fact that none of these sites were suitable to take forward to Table B assessment of development potential stage of the HELAA, demonstrates that the Oxford HELAA is robust and up to date, and has not “missed” any sites or identifiable capacity.

Table 8: Council response to sites not assessed in HELAA

Site proposed by CAR	CAR indicative capacity	Summary of HELAA assessment conclusion
Hotel car park site adjacent to Kassam Stadium OX44XP	16-19	Currently in use as car park for hotel. Landowner is focussing on other parts of the landholdings around the Kassam site, no intention to develop. Action: added to HELAA, site 634
City of Oxford Silver Band Hall, OX42FA	11-14	In active use as a community facility and long lease until 2065. Also unlikely to achieve 10+ units. Action: added to HELAA, site 635
Mill Lane/Victoria Arms Drive	9-11	Informal recreation/amenity space Action: added to HELAA, site 636
Summerfield, area between HELAA sites 330, 310, 153	75-90	Adjoins sites 003, 310, 153. In use as school playing fields. Action: added to HELAA, site 637

Windale Primary School Sports Field	15-18	Site in active use by school Action: added to HELAA, site 638
Oriel College sports pitch OX42AB	46-55	Site in active use as sports pitches. Landowner is developing parcel across the road but no intention for this site. Action: added to HELAA, site 639
Haynes Road amenity space	8-10	No landowner intention (City Council) and unlikely to achieve 10+ units. Action: added to HELAA, site 640
Oxford Road Red Lion car park and adjacent, OX39RQ	14-17	Site in active use as pub Action: added to HELAA, site 641
26 Maltfield Road	8-10	Already in residential use, so unlikely to get 10+ net gain, and no landowner intention to redevelop (County Council). Action: added to HELAA, site 642
Former Go outdoors Store, Abingdon Road	18-22	Since 2023 HELAA shop has closed but long lease remains. No intention by leaseholder or landowner to develop. Almost entirely within FZ3b, and unlikely to achieve 10+ net gain. Action: added to HELAA, site 643
Allotments at Barton Field	90-108	Allotments were specifically retained as part of Barton Park development, and landowner substantial investment in site for ongoing use as allotments. No intention to develop. Action: added to HELAA, site 645
Bullnose Morris, Blackbird Leys	11-14	Pub currently closed but site under a long lease (Green King) and is also designated an Asset of Community Value. Action: added to HELAA, site 644

35. Overall Conclusions and Recommendations

35.1. This section in the CAR simply summarises the points made earlier in the report. These have been responded to earlier in this response.

- 35.2. As explained in this City Council response, the comments and queries raised in the CAR have been thoroughly considered and, where applicable, updates made to the HELAA via the HELAA Addendum (HEA.004). The CAR was only shared with the City Council at the Regulation 19 stage, so there was no opportunity to respond in the 2023 HELAA (HEA.003) itself, so instead the 2024 Addendum (HEA.004) is intended to supplement the 2023 HELAA, and updates will be incorporated into future HELAA updates. The Addendum also covers other updates provided in Regulation 19 comments and progress of sites in the period between the 2023 HELAA being published up to Submission at the end of March, for example several sites gained planning permission or started construction, as set out in the updated Tables A and B accompanying the Addendum. Accordingly, the total capacity for 2020-2040 was also updated to take into account these updates, and a Main Modification to Policy H1 was submitted with the Plan Submission.
- 35.3. The majority of responses are signposting to further explanation about how and why decisions have been made about sites. In addition, 12 new sites have been assessed in the HELAA, as shown in Table A (site numbers 634-645) of the Addendum HEA.004.