

To: City Executive Board

Date: CEB 12th June 2013

Report of: Head of City Development

Title of Report: Draft Oxpens Site Masterplan Supplementary Planning Document – public consultation

Summary and Recommendations

Purpose of report: To approve the draft Oxpens Masterplan Supplementary Planning Document (SPD) for public consultation.

Key decision? No

Executive lead member: Councillor Colin Cook

Policy Framework: The SPD will assist in the delivery of the planning policies of the Local Development Framework/Local Plan and West End Area Action Plan.

Recommendation(s): That City Executive Board:

1. Approves the Draft Oxpens Masterplan Supplementary Planning Document for public consultation
2. Approves the Draft Oxpens Masterplan Supplementary Planning Document as a material consideration in determining planning applications;
3. Endorse the accompanying Strategic Environmental Assessment (SEA) Combined Screening and Scoping Report-Appendix 1a.
4. Authorises the Head of City development to make any necessary editorial corrections to the document prior to publication, in consultation with the Board Member.

Appendix 1 – Draft Oxpens Masterplan SPD (and its Appendices)

Appendix 1a- SEA Screening and Scoping Document

Appendix 2 – Risk Assessment

Introduction

1. City Executive Board is asked to consider the Draft Oxpens Masterplan Supplementary Planning Document (Appendix 1) prior to formal public consultation.

2. The City Council has an adopted Core Strategy (March 2011) and West End Area Action Plan (June 2008) that set the policy framework for development on the Oxpens site in Oxford's West End. The draft Oxpens Masterplan SPD will supplement existing plans by explaining how the policies can be interpreted. It will add a further degree of detail and set out the Council's aspirations for the area but will not introduce any new policies.
3. The Oxpens site represents one of the most significant development opportunities in Oxford City centre and has the potential to make a valuable contribution to the life and economy of the city. The site is identified for a new mixed use quarter, including housing, R&D space, offices, hotel, local facilities and public open space. The site is strategically located between the railway station and Westgate development. Some of the land may be used for temporary parking whilst the new Westgate centre is under construction.
4. Oxpens is also a key project in the Oxford City Deal proposal, accelerating economic growth and housing delivery with potential to deliver up to 300 new homes and support over 1000 jobs.
5. The major landowners are British Rail Residuary Board and the City Council. There are also assets in the ownership of Royal Mail, Greensquare Housing and Milton Investments plus others. Several key stakeholders including Members, SENDRA, the County and West End Steering Group have been informally consulted in the preparation of this draft masterplan SPD and comments incorporated where applicable. Public consultation will be an opportunity for formal representation.
6. The SPD will be a material consideration in the determination of planning applications, supporting the policies of the adopted Core Strategy and the West End Area Action Plan in particular. The SPD does not set out any additional policy requirements, but instead provides clarity and advice on how the City Council's adopted planning policies should be implemented. The emerging SPD is a material consideration albeit carrying minimal weight which will increase as it proceeds through the process (and any objections are dealt with or fall away).
7. The purpose of the SPD is to set out the City Council's preferred approach for bringing forward development proposals by showing how policies can be interpreted, and most notably identify that the Council seeks:
 - Development proposals that consider the whole site
 - To secure an urban approach to development that reflects the site's city centre location
 - To secure proposals that respond to the urban grain and local heritage

- To show how a mix of uses can maximise site and amenity value in a sustainable manner
8. The SPD will also help to ensure both the delivery of affordable housing and the provision of the necessary measures required to mitigate the impact of development of all types.

Content of the SPD

9. In brief the main matters covered in the SPD are:

Site Context, Constraints, Features and Opportunities

- Identification of the site history, key land ownerships, features, flood risk and land issues.
- Opportunities for Oxpens Meadow to enhance the setting of development, for improving connections across the river and into the city centre, for improving streets, delivering city centre housing, and generating investment and activity.

Vision Statement

Setting out that the development should :

- be planned in a comprehensive manner
- be of high quality architectural design, to attract investment and raise aspirations for the West End, and should protect, enhance and positively address Oxpens Meadow and the River Isis.
- address Oxpens road and seek to enhance public realm quality for all
- provide a balance of family housing with gardens and apartments with outdoor amenity space
- accommodate space for business uses in the form of offices and R&D premises
- ensure complimentary land uses such as hotel, retail food and drink and professional services are located in the most visible locations on Oxpens Road and set around a new public square.
- Use a palette of materials that reflects the colours and materials in the city centre consistently across the site to establish a common identity and character.

Design Principles

- Covering quality of development, maximising value and site potential, sustainability, addressing Oxpens Road, improving accessibility, public realm, Oxpens Meadow, riverside location, possible land use mixes, generating activity, and character areas.

Masterplan

- The SPD sets out a development framework comprising a series of flexible urban blocks with a distinct street hierarchy, and then articulates this in a detailed illustrative masterplan to show how the site could be developed, recognising that other detailed layouts are

possible. The plan also indicates proposals for character zones, building heights, public realm, landscape, car and cycle parking.

Phasing and Delivery

- Broad brush approach that allows for flexibility and ability to respond to market conditions.

The next stages

10. City Executive Board is asked to approve the draft SPD for public consultation and also to authorise the Head of City Development, in consultation with the Board Member, to make any editorial corrections necessary prior to consultation. Following approval of the document for consultation, it will be published, advertised and made available for public comment. The consultation period will last for six weeks from 17th June to 26th July 2013.
11. Representations made during the consultation period will be carefully considered and where appropriate will inform revisions to the SPD. They will also be reported in a Consultation Statement that will be presented to CEB in September 2013, and published on the website alongside a final version of the SPD. SPDs are not subject to independent examination; therefore CEB will be asked to approve the Supplementary Planning Document for adoption.

Environmental impact

13. Sustainability Appraisal is no longer required for SPDs under UK law, however to comply with European regulations, a Strategic Environmental Assessment (SEA) Combined Screening and Scoping Report has been produced to identify whether the SPD would have any significant environmental impacts and is available here <http://www.oxford.gov.uk/spd>. This exercise screened in further work on flooding and transport, which has now been completed. The statutory consultees for the SEA (Environment Agency, English Heritage and Natural England) had no concerns with the Combined Screening and Scoping Report.

Equalities impact

14. Consideration has been given to the public sector equality duty imposed by s149 of the Equality Act 2010. Having paid due regard to the need to meet the objectives of that duty and of the SPD the view is taken that the duty is met.

Financial implications

15. The consultation and further work on the production of the Supplementary Planning Document and supporting documents will be funded in part from the resources of the internal planning policy team, with expenditure on consultancy (estimated at £12,500) being met from the current resources of West End project, funded by CLG revenue grant.

Legal implications

16. The information contained in the SPD will assist in the implementation of the planning policies of the Local Development Framework/local plan and West End Area Action Plan. In this regard it will assist with the determination of planning applications.

Risk assessment

17. A risk assessment has been undertaken and the risk register is attached (Appendix 2). All risks have been mitigated to an acceptable level.

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List of background papers: None
Version

Appendix 2 – Risk Register

Risk ID	Risk						Corporate Objective	Gross Risk		Residual Risk		Current Risk		Owner	Date Risk Reviewed	Proximity of Risk (Projects/ Contracts Only)
Category -000- Service Area Code	Risk Title	Opportunity/ Threat	Risk Description	Risk Cause	Consequence	Date raised	1 to 6	I	P	I	P	I	P			
101	Legal challenge	Threat	There is a risk of a legal challenge to the SPD once adopted	Any person with sufficient interest may apply to the High Court for permission to apply for judicial review of the decision to adopt it. Applications should be made no later than 3 months after the date of adoption. They can be made after this time but it is unusual for a Court to allow a challenge after 3 months.	If successful the High Court would rule that the SPD be quashed, wholly or in part.	28.04.13	2	3	2	2	1	3	2	Michael Crofton Briggs		

Risk ID	Risk Title	Action Owner	Accept, Contingency, Transfer, Reduce or Avoid	Details of Action	Key Milestone	Milestone Delivery Date	%Action Complete	Date Reviewed
	Legal challenge	Michael Crofton Briggs	Reduce					

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