

To: City Executive Board [subject to Scrutiny 5th November]

Date: CEB 13th November 2013

Report of: Head of City Development

Title of Report: Oxpens Site Masterplan Supplementary Planning Document – Adoption

Summary and Recommendations

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

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. Adopt the Oxpens Masterplan Supplementary Planning Document as modified in the form set out in Appendix 5.
2. Endorse the accompanying Strategic Environmental Assessment (SEA) Combined Screening and Scoping Report;
3. Authorises the Head of City Development to make any necessary editorial corrections to the document prior to final publication, in consultation with the Board Member.

Appendix 1 - Schedule of consultation changes

Appendix 2 - Risk Assessment

Appendix 3 - SEA Screening and Scoping Document

Appendix 4 - Public Consultation Statement

Appendix 5 - Oxpens Masterplan SPD

Introduction

1. Following approval from CEB in June 2013 to formally consult on the Oxpens Masterplan Supplementary Planning Document, City Executive Board is now asked to consider proposed changes to the document arising from public consultation and to agree to its adoption.
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 were informally consulted in the preparation of the draft masterplan SPD and comments incorporated where applicable.
6. Formal Public consultation took place between 17th June and the 30th July 2013. The document was published, advertised and made available for public comment. In addition an exhibition was held in St Aldates Chambers for three weeks, 900 questionnaire leaflets were distributed to local residents and businesses, and a further 200 were distributed through the Customer Service Centre.
7. 150 representations were received during the consultation period and these have been carefully considered and where appropriate have informed revisions to the SPD. They are also reported in a Consultation Statement (at Appendix 4) which will be published on the website alongside a final version of the SPD.

8. 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.
9. 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
10. 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

11. 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, archaeology 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 responding to local heritage.

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.

Public Consultation

12. Of the 150 representations received (from organisations and individuals) the vast majority were in favour of the proposed long term vision for Oxpens with only 20 individuals disagreeing or strongly disagreeing. Upon interrogation of the negative responses it seems that those not in favour had concerns over flooding, traffic or transport matters, which are either already strategically assessed as part of the West End AAP or would be addressed through detailed scheme assessments as proposals come forward for planning in the future.
13. There were no objections from any of the statutory authorities, including the environment agency. In response to concerns from English Heritage, the heritage aspects of the document have been strengthened and more clearly articulated.
14. There were no objections to the SEA and generally positive support.
15. A very high majority of respondents supported all of the design principles set out in the document. (c.80%).
16. Key adjacent landholders support the mixed-use development, which is in full compliance with policy.
17. There was very high majority support for improvements to the public realm on Oxpens Road, locating the square next to Oxpens Road and access for all to the river with a bridge crossing.

18. Concerns were raised over lack of an integrated transport strategy and links with nearby developments at Westgate and the station masterplan, but these are in fact joined up; actions taken to address this perception have included changes to the website information and joint meetings between officers and Westgate Oxford Alliance with local residents.
19. One organisation questioned why the site was not all used for housing – this would be contrary to adopted policy WE20 of the AAP which requires all sites of 0.2 Ha or greater to incorporate more than one use and a fully residential scheme would not achieve the same employment and economic benefits. With the proposed mixed-use arrangement there would be no net loss of jobs.
20. The long term future of the ice-rink facility was a recurring question. Although the SPD sets out a long term arrangement for the whole site area, the Council is committed to retaining the ice-rink in its existing location.
21. There were some concerns over the potential loss of the petrol station, Royal Mail delivery office and coach park. The latter two of these facilities would be reprovided elsewhere. Royal Mail has a statutory duty to provide a delivery office in the city. There are 7 petrol stations within 4 miles of the Oxpens site.
22. The provision for new local shops /services was welcomed by local residents.
23. Consultation responses are explained in greater detail in the Consultation Statement (Appendix 4). The proposed changes to the SPD are set out at Appendix 1.
24. The proposed changes following consultation do not materially affect the SPD document as drafted.

The next stages

25. City Executive Board is asked to approve the SPD for formal adoption and also to authorise the Head of City Development, in consultation with the Board Member, to make any minor editorial corrections necessary prior to publication. Following approval of the document for adoption, it will be published on the website along with the Consultation Statement.
26. SPDs are not subject to independent examination; therefore it is CEB that is 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 final production of the Supplementary Planning Document will be funded in part from the resources of the internal Partnerships and Regeneration Team, with expenditure on consultancy (estimated at £5,500) being met from the current resources of West End project, funded by CLG revenue grant.

Legal implications

16. The SPD will assist in achieving environmental, social, design and economic objectives relevant to the development of this land provided for by the development plan.

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.

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			
00	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	3	1	3	1	Michael Crofton Briggs	27 th Sept 13	

Risk ID	Risk Title	Action Owner	Accept, Contingency, Transfer, Reduce or Avoid	Details of Action	Key Milestone	Milestone Delivery Date	%Action Complete	Date Reviewed
001	Legal challenge	Michael Crofton Briggs	Reduce	Consultation carried out and SPD adjusted accordingly	Assess consultation results	Aug/Sept 13	100%	27 th Sept13