

**To:** Cabinet  
**Date:** 14 September 2022  
**Report of:** Executive Director (Development)  
**Title of Report:** Oxford Local Plan 2040 Regulation 18 Preferred Options Consultation

<b>Summary and recommendations</b>	
<b>Purpose of report:</b>	Cabinet is requested to approve the Oxford Local Plan 2040 Preferred Options Document for consultation. The 2040 Local Plan is structured around the 15-minute city concept. It is a Plan which is looking to accelerate the move to zero carbon building standards and continues to see housing delivery as a priority, whilst ensuring we deliver a mixed and inclusive economy.
<b>Key decision:</b>	Yes
<b>Cabinet Member:</b>	Councillor Alex Hollingsworth, Cabinet Member for Planning and Housing Delivery
<b>Corporate Priority:</b>	Support thriving communities; Enable an inclusive economy; Pursue zero carbon Oxford; Deliver more affordable housing
<b>Policy Framework:</b>	Development Plan Document

<b>Recommendations:</b>
That Cabinet resolves to:
<ol style="list-style-type: none"> <li><b>Approve</b> the Oxford Local Plan 2040 Preferred Options document at Appendix 1 for Regulation 18 public consultation; and</li> <li><b>Authorise</b> the Planning Policy and Place Manager, in consultation with the Cabinet Member for Planning and Housing Delivery, to make any necessary editorial corrections and minor amendments to the documents and the supporting evidence base prior to going out to consultation.</li> </ol>

<b>Appendices</b>	
Appendix 1	Oxford Local Plan 2040 Preferred Options Consultation Document
Appendix 2	Consultation and Engagement Plan
Appendix 3	Equalities Impact Assessment
Appendix 4	Risk Register

## **Introduction and background**

1. The purpose of this report is to seek approval for the Oxford Local Plan 2040 Preferred Options document (Appendix 1) to go out to consultation. An Issues consultation was undertaken last summer 2021. This consultation sought to understand and gather the issues for this local plan from residents and stakeholders in the city. These identified issues have fed into the drafting of the Preferred Options document.
2. The Local Plan is important because through the policies it contains it shapes Oxford's future development. The policies will guide new development to the right locations and in so doing seek to protect the natural and historic environment, seek to balance the housing and economic needs of the city, address the challenges of climate change whilst at the same time delivering sustainable development. We want to ensure that Oxford continues to be a thriving city and a place where people enjoy living and working.
3. When work began on the Local Plan 2040 it was anticipated that the plan would sit within the context of a Joint Statutory Spatial Plan for Oxfordshire (the Oxfordshire Plan 2050). Some of the strategic, high-level policies would have been provided through the Oxfordshire Plan. It was also anticipated that the Oxfordshire Plan's evidence base would form part of that required for the Local Plan. However, the Oxfordshire Plan is no longer being progressed. As such the Local Plan will need additional evidence on issues which would previously been covered by the Oxfordshire Plan. For example, an Oxfordshire-wide assessment of housing needs had been an integral part of the Oxfordshire Plan work, this assessment will not now progress. Therefore, a detailed assessment of the specific housing needs for Oxford will be commissioned to support the Local Plan; ideally working with as many of our neighbouring districts as possible. This evidence base and any implications for the housing needs options for the City, will form part of an additional consultation in 2023

## **The Preferred Options Document**

4. The Preferred Options document (Appendix 1) offers a range of policy options and identifies potential positive and negative outcomes of implementing such policy options. It also explains why, in some cases, certain options have been put forward as a preferred option. The document also includes alternative and alternative but "considered detrimental" options. The document structure has been guided by the vision and strategy which sets out the various themes which form the

chapter headings for the document. In some cases, further work on viability and feasibility will be needed in order to inform the drafting of the detailed policy for the next stage, the Regulation 19 Draft Submission Plan. It is noted when this is the case. In other cases, consideration will need to be given to the resourcing that will be required to implement the policy.

5. The Local Plan 2040 is based on the concept of the “15 Minute City” where the fullest possible range of facilities and services needed for our citizens to live well and healthily within a 15 minute walk of their home. This builds on the neighbourhood and district based policies of the existing Local Plan 2036 but goes further and makes the principles explicit rather than implicit.
6. As this summer’s heat waves have made clear, the climate emergency is happening now. This Plan therefore accelerates the move to achieve net zero buildings with the move to net zero for operational regulated energy from the adoption of the Plan. There are also policy options about embodied carbon as we recognise that the amount of carbon involved in the construction of materials for development needs to be properly addressed if we are to really reduce our carbon emissions.
7. The delivery of new homes continues to be a priority for this plan as in the current plan. The ongoing need to balance the need for employment sites to deliver mixed and inclusive economic development is supported in both plans. However, the policy options in the 2040 Plan have put forward options to deliver housing on employment sites as well as options for requiring employment and skills plans and the delivery of affordable employment space to be required in certain circumstances.

### **Vision and Strategy**

8. The Issues consultation in summer 2021 highlighted matters that are important in Oxford in order to achieve sustainable development. These included concerns about high housing costs, the need to build homes that are net zero, ensuring our city and district centres remain vibrant and ensuring that people have access to employment and public open space and recreational opportunities. Threats to achieving quality of life were also identified, which include the impacts of the Covid-19 pandemic, the cost-of-living crisis and the climate emergency. They have brought into sharp relief the need for strong communities, local access to services and facilities including green spaces, the need to limit impacts on the climate through reducing our use of carbon and to adapt and build resilience to more extreme weather events and ensure that the longer-term impacts on biodiversity are minimised and mitigated.
9. The Vision for Oxford by 2040 is that it will be a healthy and inclusive city with strong communities that benefit from equal opportunities for everyone, not only in terms of access to housing and jobs, but to social and leisure opportunities, to healthcare and to the natural environment. We will be a city with a strong cultural identity, that respects our heritage, whilst maximising opportunities to look forwards, to innovate, learn and enable businesses to prosper. The city will be supported to continue to make advancements in the life sciences and low carbon sectors. The protection of the environment is central to all we do to ensure it maintains its biodiversity, its well connected in terms of blue and green infrastructure and is resilient to climate change. We will utilise resources prudently whilst mitigating impacts upon the natural environment. The city will be net zero carbon whilst our

communities, buildings and infrastructure will be more resilient to the impacts of climate change or other emergencies.

10. The vision and strategy chapter contains a suite of strategic policies which set out key features of the strategy. These include the approach to development on brownfield and greenfield sites, which supports the efficient and best use of land; locational policies which support the principle of a 15 Minute City; and an approach to a plan wide viability policy option, which will set out when viability evidence may be submitted, and the policies that are considered as having the most impact on viability.

### **A healthy inclusive city to live in**

11. There is a huge and urgent need for new homes in Oxford. Oxford's very high need for new housing means that general market prices are very expensive for both buying and renting. The challenges of finding accommodation mean that employers struggle to find and retain staff as people cannot afford to live and work in the city. The minimum housing need figure for Oxford can be calculated by using the standard method as set out in national planning policy guidance. However, the guidance states that exceptional circumstances may justify an alternative approach which reflects current and future demographic trends and market signals. We consider that circumstances are likely to exist in Oxford that justify using an alternative method to calculate housing need, owing to its important role in the local and national economy. As, stated earlier, the Oxfordshire 2050 Plan is no longer proceeding, and the evidence base around an assessment of housing need has yet to be finalised. So, the current options use a figure calculated using the Standard Method for calculating housing need but it is highly likely that when all the evidence for housing need in Oxford is considered, exceptional circumstances will apply and there will be a higher figure for housing need. Nonetheless it is important to note that even this minimum figure will exceed the capacity of the city to identify sites for this level of housing, meaning that the 2040 Plan like the 2036 Local Plan will set a capacity based figure for the housing requirement.
12. A suite of options has been developed to seek to address these issues which include setting a capacity-based housing figure that can be delivered within the city and continuing to prioritise the delivery of affordable housing, including bringing forward key worker/employer linked housing on specific sites across the city. In addition the 2040 Plan, unlike the current plan, will consider the option of allowing housing on all categories of employment sites. Financial contributions will be sought for affordable housing from new student accommodation and ensuring that there is enough student accommodation to meet needs generated by new academic facilities and the continuation of thresholds for number of students living outside of university accommodation.

### **A prosperous city with a globally important role in learning, knowledge and innovation**

13. The local plan strategy is to help support Oxford's role in the local, national and international economies. This is shaped by the presence of its two successful universities, its position as part of a regional innovation eco-system, and its sustainable transport connections. Oxford is also a major centre for teaching

hospitals and is home to several acute and specialist medical research organisations.

14. The Local Plan 2040 sets out preferred policy options which seek to identify and plan for the employment needs of the city over the plan period whilst recognising the need for balance of other land uses, particularly housing. We are proposing not to allocate any new employment sites. However, existing employment uses will be supported through the intensification, modernisation and regeneration of existing employment sites including hospital and university sites, and office and R & D development in Oxford's West End. The options recognise and support innovation clusters such as the Oxford Business Park, Science Park, Oxford North and Old Road Campus. When existing employment sites are redeveloped it could offer the opportunity to provide some affordable workspace as a percentage of all employment spaces. The options also include support for employment and skills plans.
15. The Use Classes Order was amended in 2020. A new use class was created – Use Class E. Use Class E includes a wide range of what could be described as 'town centre' uses including shops, banks, offices (including R&D) and doctor's surgeries. Planning permission is not required within Use Class E unless there is an alteration to the building. This increases the flexibility of uses that can be provided on allocated employment sites (where that employment use is now in Use Class E). It means that in developing options that direct where employment uses can go, consideration needs to be given to the alternative uses that these can change into, and the suitability for these uses on particular sites.

### **A green, biodiverse city that is resilient to climate change**

16. Climate change is the greatest threat facing society today, and the way we design, and build has a key role to play in both mitigating and adapting to the impacts of climate change. This chapter includes policy options that address adaptation to climate change, including the need for buildings to be built that are resilient to the extreme weather events we are experiencing as the climate warms. There are also policy options for addressing flood risk and encouraging sustainable drainage.
17. Ensuring people have access to a network of green and blue infrastructure, such as green spaces, is important in Oxford and these networks need to be protected and new green and blue infrastructure provided in new development where opportunities arise. We propose incorporating a new Urban Greening Factor tool to encourage greening on new developments (its scale of application and thresholds of development to which it would be applied are still to be determined). Ecology and biodiversity options cover the approach the Plan will take as to how the 10% biodiversity net gain (BNG) required through the Environment Act 2021 should be delivered. In addition to BNG, new development offers the opportunity to support additional biodiversity in the local area through sensitive and well thought out design that incorporates wildlife friendly measures that can support nature such as bird and bat boxes, insect homes and wildflower meadows. The options set out a policy requirement that seeks to ensure applicants identify/assess and protect any existing habitat of value on a site.

## **A city that utilises its resources with care, protects the air, water and soil and aims for net zero carbon.**

18. If development is to be truly sustainable, then the city's natural resources must be appropriately stewarded in terms of good protection for the natural environment. It will also mean that public health is not negatively impacted by reductions in air and water quality. This chapter also addresses the need for reducing carbon emissions within the built environment and moving towards net zero carbon.
19. Policy options support the Council's target of being a net zero carbon city by 2040. To ensure new development does not increase carbon emissions, policy options seek to ensure that not only new buildings are net zero (regulated energy as a minimum<sup>1</sup>) but that existing buildings are supported in securing reductions in carbon emissions by taking measures to improve insulation and introducing appropriate retrofitting measures where possible. Our preferred option is that we bring forward a net zero policy for new buildings from the date the 2040 Plan is adopted. This will be a significant shift from the policy RE1 in the current plan which is seeking a 40% reduction in carbon emissions at present which increase to 50% from 2026 and zero carbon by 2030. The options to be consulted upon also propose an embodied carbon policy which offers both opportunity and challenge as this is an area where industry knowledge is still developing, particularly in relation to how the details of embodied carbon are calculated. The retrofit policy has a stronger emphasis from the current plan, in that we are aiming to give greater support to encouraging and enabling retrofit measures although recognising that this is a particularly challenging area when balancing the protection of Oxford's large number of historical buildings, and one that the Local Plan has limited influence over.

## **A cultural city that respects its heritage and fosters design of the highest quality**

20. Oxford not only needs to protect its existing heritage, but new development must consider how it comes forward in a way that respects and responds to the city's heritage and archaeology. It must seek a balance between meeting the needs for the future in the provision of new homes, greening our streets and meeting net zero targets whilst ensuring that change does not harm the important values of the city's heritage assets.
21. The preferred options for the policy approach are focussed on good quality urban design which is both aesthetically pleasing and functional, in that they enable people to live healthy, happy lives that they respond to climate change and make space for biodiversity. New development will need to come forward in a way that respects and responds to heritage and archaeology and takes opportunities to celebrate the city's history. Delivering high quality urban design is more than just how a building or a street looks. It is also about ensuring development functions positively for the people who live and work there, that development is attractive and easy to move around particularly for pedestrians and cyclists, and that the city and district centres are safe and support a vibrant mix of activities. The city's historic views into and across the city are encapsulated in the view cones and new

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<sup>1</sup> Regulated energy is building energy consumption resulting from the specification of controlled, fixed building services and fittings, including space heating and cooling, hot water, ventilation, fans, pumps and lighting.

development must respect such views by ensuring heights of buildings are fully considered and respect these key views.

22. The policy approach towards motor vehicle parking is to continue to seek a downward pressure on both public and residential and non-residential parking across the city. Urban spaces created for people to move around safely rather than for cars create safer more attractive and enjoyable environments.

### **A more equal city with strong communities and opportunities for all**

23. The Covid-19 pandemic has highlighted to us the importance of having a variety of facilities in our local area to meet our daily needs. Considering the declaration of a climate emergency, the importance of promoting and enabling travel by walking, cycling and public transport rather than the private car is also clear. We expect that strong local communities with facilities, services and green spaces in proximity will continue to be something people value highly. The 15 Minute City is a good template for making strong local communities that enable residents to thrive. It is one where we seek to ensure everything needed to live well can be accessed within 15 minutes by walking or cycling. Access to health care facilities like doctors, dentists and pharmacies further helps to ensure that people's basic health needs are met without having to travel large distances to get to these facilities.
24. The preferred options have been drafted to ensure that there is support for the city centre and district centres, providing a strong vision for the future of these areas in changing times for shopping areas, seeking to focus town centre uses in the district centres. In addition, policies will protect and safeguard community, cultural and social facilities and so give realistic options for residents to have a range of facilities within their local area and thus reducing their need to travel.

### **Development sites and infrastructure**

25. In order to guide the right type and level of development to the optimal location, whilst fully considering the city's constraints, the Plan contains options for site allocation policies and Areas of Focus. The latter are defined areas across the city anticipated to experience more change as a result of new development (in some cases including development across the city boundary) during the Plan period. Much of this new development is already permitted or is on sites which are already allocated for development in the current plan. New development across the city results in additional infrastructure needs. This could range from the requirement for additional capacity at a city school, the introduction of a new cycle or pedestrian route or a contribution to a community or health facility.
26. An Infrastructure Delivery Plan (IDP), which details the key infrastructure needs within the city, has been prepared as part of the evidence base to support the current delivery of growth in the Oxford Local Plan to 2036. The IDP will be updated as the 2040 Plan goes through the different stages of preparation. We will continue our engagement with utility and health providers and the county council to get the most up to date information about the city's current and future needs in terms of infrastructure. We acknowledge that there are gaps in the information we have had about infrastructure needs for the city and are working across the council

and with external bodies to ensure we have the most up to date information available.

## **Sustainability Appraisal**

27. A sustainability appraisal has been carried out to assess the options against the sustainability objectives. This has been developed from the Sustainability Appraisal Scoping Report which was published as part of the Issues Consultation last summer 2021. The Sustainability Appraisal will be published alongside the Preferred Options Document and form part of the consultation.

## **Consultation**

28. The consultation responses provide important input in forming and shaping the local plan. Consultation so far has involved the Issues consultation last summer 2021 which was not a statutory required consultation but sought to reach out to Oxford residents' and stakeholders and has informed the content of the Preferred Options Document. Engagement and consultation on the Local Plan 2040 Preferred Options Document will be consistent with the [Statement of Community involvement in Planning](#) and appropriate to the stage.

29. The aim of the Preferred Options stage of consultation (Regulation 18) is to inform and check the direction of the plan. We anticipate that there will be a wider range of views to be considered from different communities and interests within and outside the city. The evidence base and Government policy will also be important in informing policy direction, together with professional judgement. The consultation will be clear about what the Plan can and cannot do, recognising that there are constraints as to what can be included in a Plan.

30. The consultation period commences on 3rd October and will run for six weeks until 14<sup>th</sup> November 2022. The Policy team's intention is to spend time and resources that focus on attending events that will yield the highest footfall, leafleting all households within the city's administrative boundary and depositing post boxes at key community points across the city to collect paper responses. An online campaign will run throughout the six-week consultation period with the aim to further maximise the scope of the consultation. Statutory and non-statutory groups and businesses will be contacted during this time period too, alongside contacting all those previously involved in the Local Plan and who have registered interest on planning documents. The consultation and engagement plan are set out in Appendix 2.

31. There will be a further round of consultation, known as the 'proposed submission' plan (under Regulation 19). The adopted timetable set out in the Local Development Scheme envisages the proposed submission plan being published for consultation in Autumn 2023.

32. As the Oxfordshire Plan arrangements have now ended, it is likely that an additional consultation exercise will be required between this Regulation 18 Preferred Options consultation and the Regulation 19 Proposed Submission consultation. This additional stage would be programmed once the complete evidence to establish the housing need for Oxford has been gathered and any implications for the housing need options for Oxford have been identified. This additional consultation is likely to be held in early 2023.

### **Financial implications**

33. The costs associated with the production of the Local Plan, including consultation, are being met through the annual Local Plan budget (with relevant carryovers as the spend profile is not even across the multiple years of the project). As the Oxfordshire local planning authorities have been unable to agree and progress the Oxfordshire Plan, more focus will now be on individual Local Plans. There are likely to be additional costs to the Local Plan associated with this approach, however budget had been set aside for the Oxfordshire Plan which can be used to meet these costs.

### **Legal implications**

34. There are no specific legal implications arising from the recommendations set out in this report. There are legal requirements that must be followed through the production of the Local Plan, which will be considered by the Inspector at Examination.

35. The process for preparing the Local Plan is set out in the Planning and Compulsory Purchase Act 2004 (as amended) and the Town and County Planning (Local Planning) (England) Regulations 2012. Under Regulation 18 of the 2012 Regulations the Council must notify those who have an interest in the local plan and invite each of them to make representations. The consultation will include local residents, businesses, adjoining local authorities and other statutory bodies. In preparing the plan, the Council must consider any representation made to them in response to the invitations. The approach recommended will meet the requirements set out in Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 for this stage of consultation.

### **Level of risk**

36. The completed Risk Register is attached at Appendix 4.

### **Equalities Impact**

37. An Equalities impact assessment is attached at Appendix 3.

### **Environmental Impact Assessment**

38. The council is committed to addressing the effects of, and reducing our contribution towards, climate change. In 2019, the council declared a climate emergency and has committed to a series of actions. The Oxford Local Plan 2040 has sustainability, climate change and climate adaptation and mitigation as core themes running throughout the plan. The Preferred Options document seeks to reflect this across all the chapters whether it is through design policies, parking policies, flooding, drainage or how to ensure the most efficient use of land. The draft Local Plan will be supported by a Sustainability Appraisal and Habitat Regulations Assessment.

<b>Report author</b>	Amanda Ford
Job title	Planning Policy Team Leader
Service area or department	Planning policy
Telephone	01865 529705
e-mail	<a href="mailto:aford@oxford.gov.uk">aford@oxford.gov.uk</a>