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BY EMAIL: planningpolicy@oxford.gov.uk

27th March, 2020

Dear Sir / Madam,

**OXFORD LOCAL PLAN 2036 EXAMINATION - SCHEDULE OF MAIN MODIFICATIONS
CONSULTATION
RESPONSE ON BEHALF OF UNIVERSITY COLLEGE OXFORD**

We are pleased to attach our representations on behalf of University College in response to the Oxford Local Plan 2036 Schedule of Main Modifications Consultation published by Oxford City Council. This statement should be read in conjunction with all previous representations submitted to the Local Plan Examination by and on behalf of University College.

The following representations comment on relevant main modifications and, consistent with previous representations, provide suggested amendments where we consider them necessary to ensure the soundness of the Local Plan. These suggestions are proposed in the full context of national policies and other material considerations.

The modifications responded to in these representations are as follows:

- MM7 (Policy H2)
- MM14 (Policy H15)
- MM15 (Policy RE1)
- MM28 (Policy DH5)

In making these representations, the College is seeking to ensure that Oxford City's Local Plan supports the continued success and growth of Oxford, an important part of which are the universities and its colleges. In order to ensure that Oxford University and associated Colleges can continue to be a world-renowned and leading educational institutions, they need to be able to attract the best staff, academic and non-academic, and students. This is achieved by providing exceptional facilities and suitable accommodation. Central to attracting and keeping staff for the Universities and other organisations in the City is the availability of housing.



A lack of housing of differing sizes and tenures impacts upon staff at all levels and, as such, the College looks to the City Council to plan for appropriate housing growth with policies that support the delivery of development. Student accommodation is of similar significance and it is essential that policies support purpose-built student accommodation, and recognise the positive impact this can have in terms of reducing pressure on the general housing stock for the benefit of the City as a whole.

Conclusion

We trust that the enclosed will be of assistance to the Council in the preparation of Oxford Local Plan 2016-2036. Given the overriding need to provide new housing and accommodation in all its forms, including student accommodation, it is of great importance that the City Council progresses policies in the new Local Plan which embodies flexibility to avoid unduly restrictive requirements or standards. Failure to do so may result in the avoidable unintended consequence of constraining sustainable development and, therefore, failing to meet the needs of Oxford, its universities and its colleges.

Should you have any questions or require any further information, please contact the writer on 0118 943 0000.

Yours faithfully,



JANE HARRISON



Reference Number	Paragraph / Policy / Figure Number	Main Modification	Comment
MM7	Policy H2 Part (b)	<p>Planning permission will only be granted for residential development if affordable homes are provided in accordance with the following criteria:</p> <p>b) For new student accommodation of <u>25 or more</u> 20 student units (or <u>10 or more</u> 4 self-contained student units), a financial contribution should be secured towards delivering affordable housing elsewhere in Oxford. The contribution will be calculated using the formula in Appendix 3.2. <u>The contribution will be required only from the number of units creating a net gain.</u> Alternatively, the affordable housing contribution can be provided on-site where both the City Council and the applicant agree that this provision is appropriate. For mixed-use developments of student accommodation with general housing a pro-rata approach will be used to determine whether a contribution is required, and how much this should be. <u>Contributions towards affordable housing provision from student accommodation will not be sought where:</u></p> <p>i) <u>The proposal is within an existing or proposed student campus site, as defined in the glossary; or</u></p>	<p>In part support in part object.</p> <p>Whilst we are supportive of the modifications made, the proposed changes need to go further. As stated in our hearing statement (submitted prior to the public examination relating to Matter 5: Housing for Particular Groups) (paragraphs 1.1-1.10), the policy should include the following additional exceptions where affordable housing provision from student accommodation will not be sought:</p> <ul style="list-style-type: none"> • intensification of an existing site (or adjoining land) where the main use is student accommodation; or, • where the Council agrees a site is not suitable for general purpose housing. <p>The above exceptions are consistent with existing policy (Policy H6 of the Sites and Housing Plan). We consider that omitting the previously included exceptions is an unsound approach and would inhibit the potential for the two universities and colleges to make best use of their land in order to accommodate purpose built, university-owned student accommodation on university sites. Such sites would not come forward for general purpose housing and as such, the grounds for this requirement are not relevant and thus affordable housing should not be due.</p> <p>Requiring affordable housing contributions from sites that do not have the potential to deliver general purpose housing would not meet the tests in NPPF Para 56 and, as such, the policy would be unsound on the basis of conflict with national planning policy and would not be positively prepared, justified or effective.</p>

1934 - 85.2

		<p>i) <u>The proposal is for redevelopment of an existing purpose-built student accommodation site which at the date of adoption of the Plan is owned by a university and which will continue to be owned by a university to meet the accommodation needs of its students.</u></p>	<p>Of direct significance is the Inspector’s Report to the Oxford City Sites and Housing Plan (dated 2nd January 2013), which states at paragraph 44 that in order to extend the application of an affordable housing policy to other uses, evidence is required to indicate that those uses compete significantly with potential general-purpose housing sites. This is not the case for the exceptions listed above and, as such, it is highly appropriate to retain these exceptions.</p> <p>On the basis of the above, we request that the policy is amended to add the following further exceptions highlighted in bold below.</p> <p>ii) <u>The proposal is within (or adjacent to) an existing or proposed student campus site, as defined in the glossary; or</u></p> <p>ii) <u>The proposal is for redevelopment of an existing purpose-built student accommodation site which at the date of adoption of the Plan is owned by a university and which will continue to be owned by a university to meet the accommodation needs of its students.</u></p> <p>iii) <u>where the City Council agrees that site is not suitable for, nor capable of being made suitable for, general purpose housing.</u></p>
MM14	Policy H15	<p>Planning permission will only be granted for new dwellings that provide good quality living accommodation for the intended use. All proposals for new build market and affordable homes (across all tenures) must comply with the MHCLG’s Technical Housing Standards – Nationally Described Space Standard Level 1¹².</p>	<p>We are in support of this proposed modification which is consistent with our representations to the proposed submission draft consultation (dated on 20th December 2018). We agree with the inspectors that this modification is required for reasons of soundness.</p>

1935 - 85.3

		<p>The standards for bedroom sizes and dimensions will be applied to new build HMOs and other communal accommodation including extra care housing and student accommodation.</p> <p>For properties converted to HMO, bedroom sizes should be in accordance with the Government's mandatory minimum room sizes for licensed HMO13.</p>	
MM15	Policy RE1	<p>Carbon reduction in new-build residential developments (other than householder applications):</p> <p>Planning permission will only be granted for <u>development proposals for new build residential dwellinghouses or 1,000m² or more of C2 and (including student accommodation), C4 HMO or Sui Generis HMO floorspace and student accommodation developments (or 25 student rooms or more)</u> which achieve at least a 40% reduction in the carbon emissions from a code <u>2013 Building Regulations (or future equivalent legislation)</u> compliant base case. This reduction is to be secured through on-site renewable energy and other low carbon technologies (this would broadly be equivalent to 25% of all energy used) and/or energy efficiency measures. The requirement will increase from <u>31 March 2026</u> to at least a 50% reduction in carbon emissions. After 31 March 2030 planning permission will only be granted for <u>development proposals for new build residential dwellinghouses or 1,000m² or more of C2 (including student accommodation), C4 HMO or Sui Generis HMO floorspace residential and student accommodation (25 or more non self-</u></p>	<p>In part support in part object.</p> <p>Whilst we do not object to the modifications, the policy wording as currently drafted could prove unduly restrictive and unnecessarily prevent sustainable development in that it suggests carbon reduction would need to be achieved through 'on-site renewable energy and other low carbon technologies...'. This occurs twice within the policy both within the "Carbon reduction in new-build residential development (other than householder applications)", and "Carbon reduction in new-build non-residential developments schemes of over 1000m2 or more" sections.</p> <p>We consider that there is insufficient evidence as to why both of these measures will be required in conjunction with one another where, in some cases, the reduction could be effectively delivered through just one of these measures. For this reason, we request that policy is updated to state 'on-site renewable energy and/or other low carbon technologies...' in both instances that the wording appears within the policy.</p> <p>This point is consistent with our representations to the proposed submission draft consultation (dated on 20th December 2018).</p>

contained student rooms) development that is are Zero Carbon.

Carbon reduction in new-build non-residential developments schemes of over 1000m² or more: Planning permission will only be granted for nonresidential development proposals that meet BREEAM excellent standard (or recognised equivalent assessment methodology) in addition to the following reductions in carbon emissions which are also required.

Planning permission will only be granted for development proposals ~~over~~ of 1,000m² or more which achieve at least a 40% reduction in the carbon emissions compared with a ~~code~~ 2013 Building Regulations (or future equivalent legislation) compliant base case. This reduction is to be secured through on-site renewables and other low carbon technologies and/ or energy efficiency measures.

The requirement will increase from 31 March 2026 to at least a 50% reduction in carbon emissions.

~~To ensure that the Council can monitor the effectiveness of renewable and low carbon technologies, non-residential, C2, and C4 and Sui Generis developments will be required to install appropriate energy metering and monitoring equipment and a Display Energy Certificate (DEC). The DEC would be secured by planning condition. DEC assessments must be made available to the Council for the three years after occupation and a DEC rating of A will be expected by the end of the three year period. C3 developments will be required to install~~

1936 -
MM28 -
85.4

		appropriate energy metering (smart meters).	
MM28	Policy DH5	<p>Assets will be considered for inclusion on the Oxford Heritage Asset Register if they have: – heritage interest that can be conserved and enjoyed; and – value as heritage to the character and identity of the city, or area, or community; and – a level of significance greater than the general positive characteristics of the local area.</p> <p>Planning permission will only be granted for development affecting a local heritage asset or its setting (or setting of an asset) if it is demonstrated that the significance of the asset, and its conservation, has informed the design of the development proposed <u>due regard has been given to the impact on the asset’s significance and its setting and that it is demonstrated that the significance of the asset and its conservation has informed the design of the proposed development.</u> In determining whether planning permission should be granted for a development proposals, which affects (directly or indirectly) a local heritage asset (that is not designated), consideration will be given to the significance of the asset, <u>the extent of impact on its significance, as well as the public benefits that may result from the development proposals.</u> <u>Scale of any harm or loss to the asset as balanced against the public benefits that may result from the development proposals.</u></p>	<p>We object to this policy.</p> <p>The policy does not accord with paragraph 197 of the NPPF which, for applications which directly or indirectly affects non-designated heritage assets requires a ‘balanced judgement [...] having regard to the scale of any harm or loss and the significance of the heritage asset’. On this basis we consider that the existing wording of the policy is not consistent with national policy it requires harm to be balanced against “public benefit”. This is an elevated test from the National Policy position which is not justified and represents an unsound approach.</p> <p>This point is consistent with our representations to the proposed submission draft consultation (dated on 20th December 2018).</p>