

05/01/2024

**Planning Policy Team
Oxford City Council
Town Hall
St Aldate's
Oxford
OX1 1BX**

By email to planningpolicy@oxford.gov.uk

Dear Sir/Madam

Draft Oxford Local Plan 2040 Submission (Regulation 19) Consultation

We write in relation to Oxford City Council's ('the Council') ongoing consultation on the Draft Oxford Local Plan 2040 Submission Draft (Regulation 19) dated November 2023 ("Draft Local Plan"), alongside a Community Infrastructure Levy ('CIL') Draft Charging Schedule. These representations, prepared by DP9 Limited ('DP9') on behalf of British Land, relate to the Draft Local Plan; representations in relation to the proposed CIL Draft Charging Schedule have also been submitted under separate cover.

BL own a large site on the Botley Road Retail Park which consists of two retail warehouse buildings and c. 230 car parking spaces ('the Site'). The Site is bounded by Lamarsh Road and Botley Road, and is roughly a 20 minute walk from Oxford City Centre. The wider Botley Road Retail Park is itself the subject of a site allocation in the Draft Local Plan, and development proposals for plots elsewhere on the site are coming forward.

BL have reviewed the Draft Local Plan in detail and is supportive of the overall vision and aspirations of the Local Plan, including the focus on delivering social value, delivering local benefits, and tackling the climate emergency. The following representations are made on specific points within the Draft Local Plan, and are set out in chronological order.

Chapter Three: A Fair and Prosperous City with a Globally Important Role in Learning, Knowledge and Innovation

BL has a particular interest in the approach to employment and innovation uses given the Botley Road Retail Park's status as a Category 1 employment site and the role that it will play in the delivery of a significant quantum of commercial floorspace and employment provision for Oxford over the Local Plan period and beyond. BL supports the intensification and modernisation of Category 1 and 2 employment sites, such as the Botley Road Retail Park and encourages OCC to apply flexibility with regards to bulk, scale and massing in order to meet identified employment land needs of 269,000 – 348,000 sqm over the Plan period.



BL supports the intent and principle of Community Employment Plans as set out in Policy E4. However, BL is concerned that some of the criteria and requirements listed sit outside of the scope of planning and go beyond the remit of a Local Plan (in the context of NPPF paragraph 16). Several criteria will be wholly dependent on specific property ownership/lease structures and are commercial property matters.

Chapter Five: A City that utilises its resources with care, protects the air, water and soil and aims for net zero carbon

BL supports the delivery of exemplary sustainable development and targets for net zero carbon.

Policy R1 requires developments to be designed in accordance with the energy hierarchy. As a last resort, offsetting may be accepted to mitigate any remaining energy demand that cannot be sourced renewably either on site or through an identified offsite location through a legal agreement. The applicable amount (£ per tonne of CO₂), as supported by evidence, should be clarified in the event that off-setting is required and for transparency is in line with viability considerations set out in Policy S4.

Policy R1 sets out specific Energy Use Intensity (EUI) targets for both residential and non-residential uses at Part 2. This includes a target of 70kWh/m²/yr for non-residential developments. This policy should be updated to acknowledge the varying EUI requirements of different commercial uses. For example, an industrial use or Research and Development incorporating laboratory uses have higher EUI requirements than office or a retail development and would be unable to achieve the targets set out in Part 2. This approach has been taken into account in the emerging Cambridge Local Plan Policy CC/NZ.

Policy R2 relates to expectations for the consideration of embodied carbon in the construction process and take actions to limit this as much as possible through careful design choices. While BL are supportive of the principle of this policy in order to meet Net Zero objectives, the policy needs to acknowledge that the feasibility of retaining existing buildings does not just relate to technical considerations such as structural limitations or operational requirements. Wider objectives of the Local Plan, including the planning requirements for the site, must also be an important consideration when considering any demolition. It must also acknowledge that sometimes demolition is the only route to achieve these objectives including strategic transformation and although there are higher embodied carbon costs associated with this route initially, it may derive larger carbon savings in the future, along with wider social and economic benefits. On this basis, it is crucial that any new policy focusses on consideration of retrofit/refurbishment-first as opposed to a retrofit/refurbishment-only policy, while having regard to the requirements for the site.

Chapter Six: A City that respects its heritage and fosters design of the highest quality

Policy HD8 relates to using context to determine the appropriate density for development proposals. The policy acknowledges that high-density development is expected in highly accessible locations such as district centres, and in the city centre, where feasible in the context of heritage. This approach is welcomed in order to make the most efficient and best use of limited land within the city centre. We would encourage further guidance in relation to strategic site allocations and large areas which are planned for intensification and transformation such as the Botley Road Retail Park, which will create a new context because of their size and scale in Policy HD8. The Plan should make reference to and recognise the fact that development at strategic sites need to acknowledge existing context but also have the opportunity to create new transformative context.



Chapter Eight: Development Sites, Areas of Focus and Infrastructure

BL supports the recognition that the West Infrastructure Area and Botley Road Area of Focus will see significant development over the plan period and have an influential role in meeting economic needs for Oxford.

The criteria set out in Policy WEAOF relating to the West End and Botley Area of Focus are prescriptive and parts b and e in particular should reflect the flexibility set out in Policies HD1 and HD2 relating to balancing heritage harm with public benefits and Policy HD6 relating to views and building heights.

Policy SPCW8 makes reference development proposals having consideration for the policy and spatial guidance contained within the Botley Road Retail Park Development Brief (TAN 17) (2022). On adoption, the policies contained within the new Local Plan will carry greater weight in decision making on account of the Local Plan being more up to date than the Development Brief and the nature of the Development Brief being guidance only. This policy weighting should be acknowledged within Policy SPCW8 for the avoidance of doubt.

Summary

As set out elsewhere in these representations BL are supportive of the direction of travel of the Draft Local Plan and the broad vision and aspirations set out within. It is recognised that the policies represent an evolution of existing Local Plan policies which seek to positively capture the benefits of large-scale development projects in particular. This approach is supported in principle, but a balance must be applied to ensure that these policies do not place undue burden on commercial development which inadvertently stifles its delivery. This is particularly of concern in the context of the draft CIL Charging Schedule which proposes a significant increase in the rate for Class E development, and separate representations have been submitted as part of that consultation.

We trust our comments will be taken on board in progressing the Draft Oxford Local Plan 2040 Submission Draft (Regulation 19) and we look forward to continuing to engage further with you in the future.

Yours sincerely,



DP9 Ltd.

