

Submitted to Oxford Local Plan 2045 Submission Draft (Regulation 19) Consultation
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Contact Information

1 Name

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5 Organisation Name (if applicable)

Organisation:
David Lock Associates

6 In what capacity are you responding to this consultation?

Organisation

7 If you are commenting on behalf of someone else, please state their name here. If you are representing more than one person or group we suggest making a separate submission for each.

acting as agent?:
BMW Group

Data Protection Notice and Notification Options

8 Are you happy for the first line of your address and postcode to be published with your response(s)?

I do NOT want my address and postcode to be published with my response.

9 Do you wish to be notified when:

the Council submits the Oxford Local Plan 2045 to the Government?, the Inspector's report is published?, the Oxford Local Plan 2045 is adopted?

10 If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)? Please note: while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

Yes

11 If you wish to participate in the hearing session(s), please tell us why you consider this to be necessary. Please note: the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

reason to attend hearings:

Policy S3: Infrastructure Delivery in New Development

20 Do you consider that policy S3 is sound?

No

21 If you do NOT consider policy S3 to be sound, please select your reasons why from the choices below. Please give precise details for your reasons in the box below - if you wish to support the soundness of the policy please also use this box to set out your comments.

policy is NOT justified, policy is NOT effective

s3 comments:

BMW supports the policy in principle and the objective to facilitate change in the Cowley Branch Line. However, the policy asks for contributions to the Cowley Branch Line for locations within the 1500m buffer of which BMW MINI Plant is included (we assume with reference to figures available in the Oxford Local Plan 2040 Submission Draft as figures 8.5 and 8.6 are not available in the current Submission Draft) but due to the off-peak shift arrangements, and that many employees live far from the MINI Plant due to the lack of affordable housing supply, employees are highly unlikely to use or rely on the Cowley Branch Line for transport. It is also unclear in the policy wording whether the contributions towards the Cowley Branch Line will be additional to those derived from CIL, and what constitutes "trip-generating development".

22 Do you consider that policy S3 is legally compliant? If you do NOT think policy S3 is legally compliant, please give precise details for your reasons in the box below - if you wish to support the legal compliance of the policy please also use this box to set out your comments.

Not Answered

s3 legal compliance comments:

23 Please set out, as precisely as possible, what change(s) you consider necessary to make the policy legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. You will need to say why the suggested change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text.

proposed changes to make policy s3 sound:

Suggested change in capital letters: Financial contributions from new trip-generating development within a 1,500m buffer zone of the proposed CBL stations will be expected in order to achieve public transport enhancements in this area, including, amongst other sustainable transport measures, the delivery of the CBL (WHERE THERE IS A DIRECT LINK BETWEEN THE PROPOSED DEVELOPMENT AND THE USE OF THE CBL FOR ACCESSING EMPLOYMENT). Outside the 1,500m buffer area, financial contributions from new trip-generating development would be sought on a case-by-case basis. These will be tested in accordance with Paragraph 58 (or updated equivalent) of the NPPF.

Policy E3: Community Employment and Procurement Plans

102 Do you consider that policy E3 is sound?

No

103 If you do NOT consider policy E3 to be sound, please select your reasons why from the choices below. Please give precise details for your reasons in the box below - if you wish to support the soundness of the policy please also use this box to set out your comments.

policy is NOT justified, policy is NOT effective

e3 soundness comments:

BMW support the policy in principle but it is vague and difficult to understand the expectations. There are no defined targets for the amount of jobs or apprenticeships that would be expected to be delivered. The policy also asks for all of the criteria (a to e) to be considered but some will not be able to be covered as it will depend on the context of a planning application. Further, paying all employees the Oxford Living Wage is right as an aspiration but should not be a policy expectation as part of a planning application.

104 Do you consider that policy E3 is legally compliant? If you do NOT consider policy E3 to be legally compliant, please give precise details for your reasons in the box below - if you wish to support the legal compliance of the policy please also use this box to set out your comments.

Not Answered

e3 legal compliance comments:

105 Please set out, as precisely as possible, what change(s) you consider necessary to make the policy legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. You will need to say why the suggested change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text.

suggested changes to make e3 sound:

The policy should not be mandatory:

o Remove: 'Planning permission will only be granted for proposals...'

o Replace with: 'Planning applications should be supported by CEPP for 50 or more dwellings or 5,000 sqm of GIA...'

The criteria should be to consider where applicable but not all:

- o Remove: 'CEPPs will be expected to demonstrate consideration of all the following measures:'
- o Replace with: 'CEPPs should consider the following criteria where applicable'

Oxford Living Wage should be encouraged not required

- o Remove: 'f) Paying all employees (other than apprentices, although this is encouraged where possible) the Oxford Living Wage;'
- o Remove: 'g) Only using contractors who commit to paying the Oxford Living Wage'

Policy R1: Net Zero buildings in operation

160 Do you consider that policy R1 is sound?

No

161 If you do NOT consider policy R1 to be sound, please select your reasons why from the choices below. Please give precise details for your reasons in the box below - if you wish to support the soundness of the policy please also use this box to set out your comments.

policy is NOT justified, policy is NOT effective

r1 comments:

The policy requires all new buildings to be net zero carbon, and energy needs to be met through renewables – ideally on site. This requirement is broadly aligned with BMW's approach for new buildings – for example no new gas connections for new buildings. However, there is not enough space on-site to generate the significant amounts of energy manufacturing requires. The MINI Plant will therefore need to rely on external energy supplies from renewable sources.

Regarding criteria (c) the requirement is for space heating demand to be no more than 20 kwh/m2/yr. This would not be achievable in manufacturing due to the exceptionally high energy demands. The BMW MINI Plant falls into the category (iii) of criteria (b).

Regarding criteria (e) the requirement is for all energy needs to be met through onsite renewable energy generating technologies in the first instance accompanied by energy storage where possible. And if not then proposals should maximise onsite capability before off-site renewable energy generation, or as a last resort for offsetting. BMW has concerns with this section of the policy. Firstly, that energy storage is possible but not always practical or cost effective, and secondly, maximising available onsite renewable capacity may not be practical or cost effective.

162 Do you consider that policy R1 is legally compliant? If you do NOT consider policy R1 to be legally compliant, please give precise details for your reasons in the box below - if you wish to support the legal compliance of the policy please also use this box to set out your comments.

Not Answered

r1 legal compliance comments:

163 Please set out, as precisely as possible, what change(s) you consider necessary to make the policy legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. You will need to say why the suggested change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text.

suggested changes to make r1 sound:

Suggested change in capital letters: a) Developments have been designed in accordance with the energy hierarchy. Applications should demonstrate how design has methodically followed the steps in the hierarchy, firstly through reducing energy use; using energy efficiently; and then, meeting all energy needs through renewables sources, ideally generated onsite, or SOURCING RENEWABLES ELSEWHERE OR else offsetting as a last resort

Suggested change in capital letters: c) FOR NON-MANUFACTURING USES Space heating demand is no more than 20 kwh/m2/yr. Emerging best practice suggests 15kwh/m2/yr will be achievable in many instances and achieving this tighter limit is encouraged.

Suggested change in capital letters: e) All energy needs (matching the development's total EUI figure) will be met through onsite renewable energy generating technologies in the first instance, accompanied by energy storage where possible AND COST EFFECTIVE. Where the total energy need cannot be met through onsite renewables, applicants should seek to maximise available capacity onsite, before seeking to meet the remaining energy balance through installation OR PURCHASING of sufficient additional renewable generation at a location offsite. In these circumstances, it will need to be demonstrated in the Energy and Carbon Statement that offsite provision has been fully secured and will be in operation upon completion of the development. As a last resort, where the above steps have been fully explored and net zero carbon still cannot be fully delivered, offsetting may be accepted to mitigate any remaining energy demand that cannot be sourced renewably either onsite or through an identified offsite location. The City Council will accept payment into its offsetting fund to fully offset this remaining energy demand, and this will be secured through an appropriate legal agreement/S106.

Policy CBLLAOF: Cowley Branch Line and Littlemore Area of Focus

323 Do you consider that Policy CBLLAOF is sound?

No

324 If you do NOT consider policy CBLLAOF to be sound, please select your reasons why from the choices below. Please give precise details for your reasons in the box below - if you wish to support the soundness of the policy please also use this box to set out your comments.

policy is NOT justified, policy is NOT effective

CBLLAOF comments:

BMW supports the policy in principle and the objective to facilitate change in the Cowley Branch Line. However, the policy asks for contributions to the Cowley Branch Line for locations within the 1500m buffer of which BMW MINI Plant is included (we assume with reference to figures available in the Oxford Local Plan 2040 Submission Draft as figures 8.5 and 8.6 are not available in the current Submission Draft) but due to the off-peak shift arrangements, and that many employees live far from the MINI Plant due to the lack of affordable housing supply, employees are highly unlikely to use or rely on the Cowley Branch Line for transport. It is also unclear in the policy wording whether the contributions towards the Cowley Branch Line will be additional to those derived from CIL, and what constitutes "trip-generating development".

325 Do you consider that Policy CBLLAOF is legally compliant? If you do NOT consider policy CBLLAOF to be legally compliant, please give precise details for your reasons in the box below - if you wish to support the legal compliance of the policy please also use this box to set out your comments

Not Answered

CBLLAOF legal compliance comments:

326 Please set out, as precisely as possible, what change(s) you consider necessary to make the policy legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. You will need to say why the suggested change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text.

suggested changes to make CBLLAOF sound:

Suggested change in capital letters: Financial contributions from trip-generating uses within a 1,500m buffer zone of the proposed CBL stations (where it falls within the city's boundaries) towards achieving public transport enhancements in this area, including, among other sustainable transport measures, the delivery of the CBL (WHERE THERE IS A DIRECT LINK BETWEEN THE PROPOSED DEVELOPMENT AND THE USE OF THE CBL FOR ACCESSING EMPLOYMENT). Figures 8.5 and 8.6 show the extent of this buffer zone around both proposed railway stations and the site allocations that lie within it. Outside the 1,500m buffer area, financial contributions from new trip-generating development would be sought on a case-by-case basis.

Policy SPS10: MINI Plant Oxford

363 Do you consider that Policy SPS10 is sound?

No

364 If you do NOT consider policy SPS10 to be sound, please select your reasons why from the choices below. Please give precise details for your reasons in the box below - if you wish to support the soundness of the policy please also use this box to set out your comments.

policy is NOT justified, policy is NOT effective

sps10 comments:

The MINI Plant is a constrained brownfield site and therefore it will be challenging to meet urban greening requirements through new development proposals. Therefore it should not be mandatory to meet a specific amount but to show how urban greening has been considered in the development of a planning application.

Sensitivity around heights is an important element in this location but the MINI Plant requires certain heights of buildings to allow for the effective operation of the site.

365 Do you consider that Policy SPS10 is legally compliant? If you do NOT consider policy SPS10 to be legally compliant, please give precise details for your reasons in the box below - if you wish to support the legal compliance of the policy please also use this box to set out your comments

Not Answered

sps10 legal compliance comments:

366 Please set out, as precisely as possible, what change(s) you consider necessary to make the policy legally compliant and sound, in respect of any legal compliance or soundness matters you have identified above. You will need to say why the suggested change will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text.

suggested changes to make sps10 sound:

Suggested change in capital letters: a) Proposals should include additional greening onsite to help meet the Urban Greening Factor target WHERE FEASIBLE and maximise the other functional benefits this can provide (e.g. for climate resilience including reducing surface water flood risk, and general

amenity). This could be achieved in various ways, including introducing new green features or enhancing existing features on the site

Suggested change in capital letters: e) Whilst there are limited constraints on the site, considerations around heights, scale and massing should factor in how the developments will be viewed from afar and on the approach, so as to reduce feelings of overbearing and dominating of the adjacent streetscape. HOWEVER THESE CONSIDERATIONS WILL ALSO NEED TO BE BALANCED WITH THE OPERATIONAL NEEDS OF THE SITE. Variations in materials, including selection of materials and how they are placed, could help to add visual interest to frontages and reduce homogeneity particularly when experienced from outside the site.