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Submitted to Oxford Local Plan 2045 Submission Draft (Regulation 19) Consultation
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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?:
Sackville UK Property Select III (GP) No.2 Limited ("Sackville UK")

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

I am happy for the first line of 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:

To explain the points raised in these (and previous) representations to the Inspectors from a R&D perspective

Policy H3: Affordable housing contributions from other development types

41 Do you consider that policy H3 is sound?

No

42 If you do NOT consider policy H3 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, policy is NOT consistent with national policy

h3 comments:

There is little policy justification at the national level for requiring commercial schemes to subsidise residential housing. Such contributions fail to meet the legal tests under Regulation 122 of the Community Infrastructure Levy Regulations 2010, which require planning obligations to be:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonably related in scale and kind.

Affordable housing contributions from major commercial developments do not meet these tests, as they do not directly generate housing need. Oxford has a pressing need for new commercial and employment space to support local businesses, universities, and research institutions. Introducing new, financial obligations on commercial schemes for residential development risks constraining delivery and pushing employment space out of the city, contrary to the Local Plan's broader economic objectives.

43 Do you consider that policy H3 is legally compliant? If you do NOT consider policy H3 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.

No

h3 legal compliance:

There is little policy justification at the national level for requiring commercial schemes to subsidise residential housing. Such contributions fail to meet the legal tests under Regulation 122 of the Community Infrastructure Levy Regulations 2010, which require planning obligations to be:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
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44 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 h3 sound:

The first paragraph should be amended to the following:

"The City Council will seek financial contributions towards the delivery of affordable housing from proposals for new purpose-built student accommodation, and new older people's accommodation."

Parts e) and f) of Policy H3 should also be removed.

Policy E1: Employment Strategy

94 Do you consider that policy E1 is sound?

No

95 If you do NOT consider policy E1 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 positively prepared, policy is NOT effective

E1 comments:

There is nothing in the Policy E1 wording on meeting identified need for employment floorspace, this is only listed in the supporting text. As a result, the policy is not positively prepared because it does not provide a clear strategy for meeting objectively assessed employment needs within the plan period. Although it is acknowledged that there is a strong pipeline of R&D floorspace being delivered, the identified need for R&D floorspace is 345,004sqm, which is the largest type of employment floorspace need. This should be reflected in the policy wording.

OCC should focus on meeting all identified employment land needs within Oxford's boundary, as it is essential to sustaining the city's economic vitality and supporting its key sectors, particularly R&D, life sciences, and advanced manufacturing.

Prioritisation of other uses such as housing, even where employment needs cannot be fully met, risks undermining Oxford's long-term economic resilience. While we recognise the acute need for housing, this should not come at the expense of employment land that is critical to the city's innovation ecosystem and broader regional economy.

By actively investigating ways to meet employment land needs within the city, including the identification of new, appropriately located sites, it ensures that Oxford can continue to support high-value job creation, attract investment, and retain its competitive edge.

96 Do you consider that policy E1 is legally compliant? If you do NOT consider policy E1 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.

Yes

E1 legal compliance comments:

97 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 e1 sound:

The retention of 234 Botley Road as a Key Employment Site is supported, as well as the clear support for the intensification and modernisation of both Key Employment Sites and any other employment sites where the site is located within a district or city centre. However, it is recommended that a higher level of protection be afforded to existing employment sites to prevent change of use unless there is robust evidence provided to demonstrate that it is poorly performing in employment use. Wording should also be included which allows for the redevelopment of employment sites for suitable employment uses.

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

e3 soundness comments:

The policy is not justified as it applies a blanket requirement for Community Employment and Procurement Plans without sufficient evidence that such plans are necessary for all qualifying developments. In practice, such obligations are typically secured through planning obligations on a site-by-site basis where they meet the statutory tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010.

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.

Yes

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:

A policy requirement that applies to all developments risks imposing disproportionate administrative burdens and may not be appropriate for all schemes. A more flexible approach that allows the requirement to be considered on a case-by-case basis through Section 106 agreements would ensure that obligations remain proportionate and directly related to the development.

Policy E4: Affordable Workspaces

106 Do you consider that policy E4 is sound?

No

107 If you do NOT consider policy E4 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 effective

e4 soundness comments:

We do not object in principle to the inclusion of a policy requiring the provision of affordable workspaces. Supporting access to workspace for a diverse range of businesses and organisations is important for maintaining Oxford's economic diversity and resilience.

However, we would emphasise that any requirement for affordable workspace must be reasonable and proportionate to the scale and nature of the proposed development. It is essential that such obligations are clearly defined, viable, and do not unduly impact the deliverability of a scheme, particularly where developments are already contributing to other planning priorities such as affordable housing or sustainability measures.

108 Do you consider that policy E4 is legally compliant? If you do NOT consider policy E4 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.

Yes

e4 legal compliance comments:

109 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 policy e4 sound:

The policy should clearly confirm that affordable workspace requirements will be subject to viability considerations and applied flexibly where a development is already delivering other significant planning obligations. Without such flexibility, the policy risks undermining the deliverability of employment-led development and therefore fails the test of effectiveness.

Policy G5: Delivering Onsite Ecological Enhancements

135 Do you consider that policy G5 is sound?

No

136 If you do NOT consider policy G5 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

g5 comments:

The policy is not justified because it introduces a prescriptive points-based approach without clear evidence that such an approach is necessary to secure biodiversity outcomes beyond those already required through Biodiversity Net Gain legislation in the Environment Act 2021.

An appropriate balance between encouraging meaningful ecological improvements and maintaining design flexibility for applicants should be achieved. Ecological needs and site constraints vary. A non-prescriptive policy allows applicants to select biodiversity measures that are appropriate to their site's size, function, and ecological context, rather than applying a rigid, one-size-fits-all points system that may not always be practical or meaningful.

137 Do you consider that policy G5 is legally compliant? If you do NOT consider policy G5 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.

Yes

g5 legal compliance comments:

138 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 g5 sound:

The proposed prescriptive policy could introduce unnecessary complexity and administrative burden, particularly for smaller or lower-impact schemes. Alternative wording should be proposed which avoids overregulation while still setting a clear policy expectation for on-site ecological enhancements. Developers are more likely to embrace biodiversity enhancements if given freedom in how they are delivered. Thoughtful, integrated biodiversity features rather than a checklist approach should be encouraged.

Policy G7: Flood risk and Flood Risk Assessments (FRAs)

143 Do you consider that policy G7 is sound?

No

144 If you do NOT consider policy G7 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 effective

g7 comments:

The draft policy states that brownfield sites in Flood Zone 3b can be redeveloped providing the new development demonstrably decreases flood risk compared with the current situation. The principle of this is supported, but the text at Point Q stating "it will not lead to a net increase in the built footprint of the existing building within Flood Zone 3b and where possible lead to a decrease" is not supported.

In some cases, the new development footprint may need to encroach into Flood Zone 3b, even if the overall building footprint is the same or smaller than the existing built footprint. In this scenario, the new development could still result in a decrease in flood risk through careful design.

145 Do you consider that policy G7 is legally compliant? If you do NOT consider policy G7 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.

Yes

g7 legal compliance comments:

146 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 g7 sound:

Wording should be included which allows for careful redevelopment of existing sites within Flood Zone 3b where it has been demonstrated that the flood risk will not increase elsewhere.

It is requested that Point Q of Draft Policy G7 is reworded to state:

"it will not lead to a net increase in the built footprint on the site, and where possible lead to a decrease"

Policy R2: Embodied carbon in the construction process

164 Do you consider that policy R2 is sound?

No

165 If you do NOT consider policy R2 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 effective

r2 comments:

A blanket requirement to demonstrate that reuse is unfeasible may discourage the redevelopment and intensification of previously developed land. This risks conflicting with national policy objectives to make effective use of land and optimise the potential of brownfield sites. It is suggested to include text in a future technical advice note on the re-use of existing buildings being dependent on whether they are suited to the requirements of the site.

Quod is supportive of the principle of draft Policy R2 which states that developments are expected to demonstrate consideration of embodied carbon in the construction process and take actions to limit this as much as possible through careful design choices.

166 Do you consider that policy R2 is legally compliant? If you do NOT consider policy R2 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.

Yes

167 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 r2 sound:

Part a) of the policy states that the re-use of any existing building on a site should be explored and demonstrated to be unfeasible before resorting to demolition. However, in some scenarios it may be feasible to retain the building but the building may not be suited to the requirements for the site. For example, Oxford is seeking to intensify existing employment sites and there may be an existing building on a site that would not be suitable for the proposed employment use and would not result in making the best and most efficient use of brownfield land. It is therefore proposed that the following wording is added to Part a):

"Re-use of any existing buildings on a site has been robustly explored and demonstrated to be unfeasible, or where it is not making the most efficient use of brownfield land, before resorting to demolition"

Policy HD6: Views and Building Heights

217 Do you consider that policy HD6 is sound?

No

218 If you do not consider policy HD6 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 effective

hd6 comments:

Draft Policy HD9 does not clarify that a view is not a heritage asset and does not carry the same significance as a heritage asset does. The policy should clearly distinguish between designated heritage assets and important views. While views may contribute to the setting of heritage assets, they do not carry the same statutory protection.

219 Do you consider that policy HD6 is legally compliant? If you do NOT consider policy HD6 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.

Yes

hd6 legal compliance comments:

220 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 hd6 sound:

the following alternative wording for the first and sixth paragraphs is proposed:

"Planning permission will not be granted for development that will not retain important characteristics of views of the historic skyline, both from within Oxford and from outside...

... Planning permission will not be granted for development proposed within a View Cone or the setting of a View Cone if it would harm the important characteristics of the view."

Policy WEAOF: West End and Botley Area of Focus

495 Do you consider that Policy WEAOF is sound?

No

496 If you do NOT consider policy WEAOF 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 effective

weaof comments:

The approach to identifying the West End and Botley Road Area of Focus is positive.

It is welcomed that the Local Plan notes the opportunity for Botley Road Retail Park to provide a contribution to Oxford's employment needs.

The Botley Road Retail Park Supplementary Planning Document (SPD) already provides clear and robust guidance to support the site's coordinated regeneration. The SPD sets a strong framework to guide development in a manner that is integrated, sustainable, and responsive to the local area.

Draft Policy S2 states that proposals shall align with design principles in SPDs such as the Botley Road Retail Park DB and that the Council shall be proactive in producing additional local design codes when a need arises involving the local community and landowners who wish to produce design guidance for their areas. In our view, given that there is already a Development Brief for Botley Road Retail Park, the introduction of further planning policy layers or site-specific design codes for Botley Road is unnecessary and risks creating duplication of policy and delaying emerging applications due to confusion around the correct development parameters. Any further codification through design codes or prescriptive policy would risk limiting the flexibility needed to respond to market conditions, innovative design approaches, or evolving employment needs.

497 Do you consider that Policy WEAOF is legally compliant? If you do NOT consider policy WEAOF 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

Yes

weaof legal compliance comments:

498 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 WEAOF sound:

See above Q496