Oxford Local Plan 2045

Submission Draft

COMMENT FORM

Part A

You only need to fill Part A in once

149

Your name: Michael Tappin

Organisation (if applicable): [redacted]

Address: [redacted]

[redacted]

Email: [redacted]

Date: 12 March 2026

Data protection:
Please note that your response will be made available for inspection by the public in paper form at the Council's offices, or other locations as appropriate for the purpose of facilitating public access.

Your personal details will be properly safeguarded and processed in accordance with the requirements of the General Data Protection Regulation (GDPR) 2018. Your information will be used for The Oxford Local Plan 2040 Proposed Submission Consultation only, and we will only store your data until the Oxford Local Plan 2040 is accepted. Information you give in this form could be shared with the Independent Examiner at the examination stage of the Local Plan process.

We cannot accept anonymous comments.

☐ If you are happy for us to state your name and the first line of your address and postcode when publishing your response(s), please tick this box.

☐ If you would rather all personal details except your name and a non-specific address (e.g. Oxford) to be obscured, please tick this box.

	Yes	No
Do you wish to speak at the examination hearings? (Please note that the Inspector will decide who to invite to speak)	☐	☐
Do you wish to be notified when:		
the Council submit the Oxford Local Plan 2045 to the Government?	☐	☐
the Inspector's Report is published?	☐	☐
the Oxford Local Plan 2045 is adopted by the Council?	☐	☐

GENERAL ADVICE

For advice on making a comment, please see the accompanying notes page. It is also available at www.oxford.gov.uk/oxford-local-plan-2045

When completing the form,

- You only need to complete Part A once
- Use Part B to make your specific comments. You may complete Part B multiple times to comment on different parts of the Oxford Local Plan 2045.
- Cover concisely all the information and evidence you feel supports or justifies your view, as this will normally be your only opportunity to tell us about it.
- Be as precise as possible.

HOW TO SUBMIT YOUR COMMENTS

Please submit completed forms by email or post to:

planningpolicy@oxford.gov.uk

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

If you have any questions please feel free to get in touch with the Planning Policy Team
T: 01865 252847
planningpolicy@oxford.gov.uk
www.oxford.gov.uk/localplan2040

Please ensure your comments reach us by **4.00pm on Friday 13th March 2026.**
Thank you for participating.

DETAILS OF YOUR COMMENT

Part B

Please use a new Part B for each point you are commenting on. Attach all completed forms to Part A.

Please read the accompanying notes before completing Part B. The notes explain what we mean by soundness and legal compliance. These are questions that we are expected to ask consultees.

Q1. Which part of the document do you wish to comment on? (please give the relevant paragraph or policy number)

Paragraph		Policies Map	
Policy Number	SPE14	Sustainability Appraisal	

Q2. Do you consider that the document:

(a) is legally compliant?	☐ Yes	☐ No
(b) is sound?	☐ Yes	☉ No
	☐	☐

Q3. Do you consider that the document is **unsound** because it is not: (tick as appropriate)

(a) positively prepared?	☐	(c) effective?	☐
(b) justified?	✔	(d) consistent with national policy?	✔

Q4. Please tell us below why you consider the document to be unsound or not legally compliant. If you do believe the document is sound or legally compliant, or complies you may use the box to explain why.

Please see attached document

Please use an extra sheet if completing a paper copy.

Q5. What change(s) do you consider necessary to make the document sound or legally compliant? Please explain why this change will achieve soundness or legal compliance. It would be helpful if you could suggest revised wording for the policy or text in question.

Deletion of proposed policy SPE14

The reasons why deletion is necessary to achieve soundness are explained in the attached document.

Please use an extra sheet if completing a paper copy.

This is the end of the comment form

Notes on responding to the Regulation 19 Consultation

We have published the Oxford Local Plan 2045 Proposed Submission Draft for consultation before we submit it for examination[1] by an independent Planning Inspector. Any comments received will be considered by the City Council and the Inspector.

In these notes we explain the criteria that the inspector will use and that you should also use when commenting on the plan.

The planning inspector will consider whether the document:

- complies with the **LEGAL REQUIREMENTS**; and
- is **SOUND**.

DUTY TO CO-OPERATE

The Inspector will check that the Proposed Submission Draft meets the duty to co-operate as set out in the Act[2]. The Act states that non-compliance with the duty to cooperate cannot be rectified after the submission of the Plan. Therefore the Inspector has no power to recommend modifications in this regard. Where the duty has not been complied with, the Inspector has no choice but to recommend non-adoption of the Plan.

LEGAL REQUIREMENTS

To comply with the legal requirements, the Proposed Submission Draft must:

- be identified in the Local Development Scheme[3];
- have involved the community as set out in the Council's Statement of Community Involvement[4];
- be published in line with the procedure for publishing a policy document, as set out in the regulations[5];
- have involved the production of a Sustainability Appraisal Report[6].

SOUND

To be sound[7] the Proposed Submission Draft must be:

- positively prepared
  i.e. providing a strategy which, as a minimum, seeks to meet the area's objectivel assessed needs and is informed b agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- justified
  i.e. it is an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- effective
  i.e. the Plan should be deliverable over its period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- consistent with national policy
  ie enabling the deliver of sustainable development in accordance with the policies of the NPPF.

GENERAL ADVICE

If you are seeking a change to the document, please check that you have:

- made it clear in what way the document is unsound in regard to the legal requirements and tests of soundness set out above;
- stated precisely how you think the document should be changed;
- supported your comment with evidence showing why the document should be changed; and
- provided all the evidence and supporting information necessary to support or justify your comment and the suggested change, as there will not normally be a later opportunity to comment further.

If you are part of a group who share a common view on how the document should be changed, it would be very helpful for that group to send a single response that represents the view, rather than for many individuals to send in separate comments that repeat the same points. In such cases the group should state how many people it represents and how it has been authorised to do so.

Further detailed guidance on the preparation, publication and examination of DPDs is provided in in the National Planning Policy Framework and National Planning Policy Guidance.

Useful links

National Planning Policy Framework: (particularly section on Plan Making: paragraphs 35 - 37)

The Town and Country Planning (Local Planning) (England) Regulations 2012

The Planning and Compulsory Purchase Act 2004

Local Development Scheme;

Statement of Community Involvement

If you would like further advice, please contact the Planning Policy team at:
planningpolicy@oxford.gov.uk; 01865 252847

[1] In accordance with the Planning and Compulsory Purchase Act 2004 (as amended).
[2] As set out at Section 20(5)(c) and Section 33A of the Planning and Compulsory Purchase Act 2004 (as amended)
[3] A programme of work, setting out the documents the Council proposes to produce.
[4] A document that sets out a strategy for involving the community in preparing policy documents.
[5] This includes publication of appropriate supporting documents by making them available at the Council's offices at St Aldate's Chambers and publication on the Council's website. In addition the Council must notify particular organisations and any persons who have requested to be notified
[6] A tool for appraising policies to ensure they reflect social, environmental and economic factors.
[7] Soundness is explained fully in the NPPF at paragraph 35

My wife and I own [redacted] Our property includes the field lying immediately south east of Dunstan Park. To the east of our field lies the field which forms part of the property of West Lodge, 6 Dunstan Road; that field is in turn bounded on the east and north by Ruskin Fields.

I object to proposed policy SPE14 which would allocate Ruskin Fields for residential development. A plan which includes such a policy would not be sound, and proposed policy SPE14 should be removed from the draft Local Plan, for the following reasons.

1. <u>Harm to the Old Headington Conservation Area</u>

Ruskin Fields lie within the Old Headington Conservation Area. Together with Dunstan Park, the fields north of 8 and 6 Dunstan Road and the fields between the Stoke Place bridleway and Barton Lane, they form a broad band of fields ringing the village on its northern side that are recognised as contributing to the special historic interest of the conservation area[1]. The Statement of Special Interest in the Old Headington Conservation Area Appraisal says[2]:

> *"The green setting of the village was separated from the wider countryside through construction of the Oxford Ring Road during the 1930s. The fragments of green fields within the conservation area contribute to the rural character of the village and provide a green setting, with hedges and hedgerow trees in views from roads and footpaths looking over to the rolling countryside of South Oxfordshire to the north. The importance of these fields to the green setting of the village was recognised by the acquisition of several of them by Oxford Preservation Trust and the retention of others as a public park at Dunstan Road. The attractive tree-lined bridleway leading from Stoke Place allows views over these fields."*

The Summary in the Statement of Special Interest recognises the significance of these fields, contributing in particular to: *"2. Tranquil village character, creating a well integrated residential area with attractive green setting..."*, *"4. Green surroundings provided by mature trees and gardens"*, *"10. Green and open spaces contribute to rural character and setting"*, *"12. Quality of views through the area"* and *"13. Visual connection with the countryside"*.

It also recognises as vulnerabilities of the conservation area*: "1. Development that undermines the distinctive character or appearance of the area"*, *"3. Loss of tranquillity and pedestrian environment through increasing traffic"*, *"4. Loss of green and leafy character through depletion of the mature tree stock and hedgerows"* and *"5. Loss of rural character through depletion of green open space, roadside verges and hedgerows and views out to rural setting"*.

[1] See the second paragraph on p.1 of the Old Headington Conservation Area Appraisal of July 2011.
[2] See the third paragraph on p.2.

The section on green fields in the Conservation Area Appraisal[3] identifies a number of key positive characteristics of the band of fields that includes Ruskin Fields, including that they represent *"the last remnants of the green fields that once ran up to the edges of the village"*, that they allow *"views from the public realm across green open spaces"*, and that they are *"important in views to the conservation area from outside its boundaries"*.

In particular, the Appraisal notes that there are views across Ruskin Fields from the Stoke Place bridleway, as illustrated by the photograph on p.63 in which the eastern field of Ruskin Fields is in the foreground (see also the photographs included below). It says[4]:

> *"The ability to walk just a few hundred yards from the tightly enclosed village centre to a point with such a rural character and wide open views over the landscape is an important part of the special character of Old Headington."*

The Appraisal also notes the views from the higher ground north of Bayswater Brook from where, it says, the fields illustrate the distinctiveness of the character of Old Headington[5].

The section on Old Headington Core in the 2022 update to the Character Assessment of Oxford in its Landscape Setting is consistent with the Conservation Area Appraisal. It identifies, as making significant contributions to the National Design Guide Characteristics: *"The leafy village core is well integrated into the surrounding green network of fields and parks. There is a strong sense of the local heritage"* and "*Ecologically rich area with parks, networks of street trees and vegetation as well as connectivity to the wider green network of fields and hedgerows"*[6].

It also recognises that "*Old Headington Core character area is highly sensitive to adverse changes as a result of its rural character, historic vernacular and elevated position on a hill"*. It identifies threats to local character as including: *"New built development on the edges of the village that intrudes into the setting to the village"*, *"Increasing traffic levels and/or increased parking on the narrow streets that would reduce tranquillity and alter pedestrian movement"* and *"Loss of green space including grass verges, public open space, gardens and remaining fields, both in the public and private realm could threaten the rural character"*[7].

There have been various previous attempts on the part of Ruskin College to have Ruskin Fields allocated for development. Most recently, following an Inspector's report that rejected development on the area now proposed for development because of its sensitivity and the adverse impact of development on the conservation area and the

[3] pp. 62-64.
[4] See p.64 lhs.
[5] See p.64 rhs.
[6] See p.31 of the 2022 Update – Addendum Report.
[7] See pp.30-31.

Elsfield View Cone[8], the Oxford Local Plan 2036 stated[9] that the area now proposed for development was:

> *"not suitable for development because it would have substantial negative impact on the appearance, setting and character of the Old Headington Conservation Area and is also visually sensitive from the Elsfield View Cone."*

That assessment remains correct today.

The Old Headington Conservation Area is a designated heritage asset. The National Planning Policy Framework ("NPPF") states that heritage assets *"are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations"*[10]. It makes clear that *"when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation"*[11] and that *"any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification"*[12].

Proposed policy SPE14 is unsound because it is neither justified nor consistent with the policies of the NPPF.

While lip service is paid to the fact that Ruskin Fields lie within the Old Headington Conservation area, **proposed policy SPE14 fails to give the necessary "great weight" to its conservation nor to provide the necessary "clear and convincing justification" for the harm that will be caused to the significance of a designated heritage asset.**

There is no assessment in the proposed policy of whether it is necessary to allocate Ruskin Fields for residential development to meet Oxford's housing needs, or whether Oxford's housing needs can be met by development in alternative locations which would not involve substantial harm to a designated heritage asset. In this regard, proposed policy SPE14 indicates a minimum number of dwellings of 28. The site capacity assessment says that a cautious approach has been taken to calculating a minimum number because of the *"very sensitive nature of the site in terms of heritage, setting and green infrastructure/ecology"*[13]. No attempt has been made to justify the harm that would be caused to the designated heritage asset by its potential to deliver 28 dwellings, or indeed any greater number which would of course increase the damage to the conservation area.

[8] Inspector's report of 15 May 2020, §196.
[9] See §9.253. The southern part of the site referred to by the Inspector and in the Local Plan 2036 is not part of the site now proposed for development.
[10] §202.
[11] §212.
[12] §213.
[13] See section H of the site capacity assessment.

Further, proposed policy SPE14 fails properly to recognise the significance of Ruskin Fields to the character of the conservation area. It is also inconsistent with proposed policy HD3 which requires developments to *"respect and draw inspiration from Oxford's designated heritage assets, responding positively to their significance, character and distinctiveness and enhancing it where possible"*.

In particular:

- Point a) states that "the green character of the site is important to the setting of the Old Headington Conservation Area", and then turns to discuss trees and hedgerows. **This ignores the fact that the green fields themselves, and not just the trees and hedgerows, are significant to the character of the conservation area, as can be seen from the quotes above. The proposed development would inevitably involve the loss of green fields.** That cannot be altered by new planting (points b) and c)) nor by retaining part of the site as open space and enhancing wetland and/or woodland (point d))[14].

- Point g) states that "significant green features should be incorporated to retain the function of the site as one of the few vestiges of the rural character of the conservation area, important to its setting and understanding its history". **This erroneously treats a residential development with green features as equivalent to green fields. The green fields are, rightly, recognised as important to the setting of the village and understanding its history. Such a function cannot be performed by a residential development, however green its features.**

- Point j) says that "development should be kept low to reflect the rural character and role of the site in linking the conservation area to its more rural origins". **Again, this erroneously treats a residential development as being capable of fulfilling the role of the existing green fields; no residential development of whatever scale is capable of doing that.**

- Point h) says that "buildings should be carefully placed to retain important views across the site and visual link with rural hills beyond, e.g. the important view from Stoke Place across the site to Elsfield". **However, this fails to address the issue of whether and how such important views across the site (such as those seen in the photographs included below) can in fact be retained if the land is developed.**

- **The proposed policy contains no consideration of the impact of development of Ruskin Fields on the views into the conservation area from outside the area**, in particular from the higher ground north of Bayswater Brook (a view which will become of even greater significance once that land is developed) or its impact on

[14] It is assumed that the reference to the southern part of the site in points d) and i) is an error and that it is intended to refer to the northern part of the site.

the Elsfield View Cone (a matter rightly regarded as important in the Local Plan 2036 and by the Inspector).

- **The proposed policy contains no consideration of the impact of development of Ruskin Fields on traffic in the conservation area, either during construction or thereafter.** Any development on Ruskin Fields will inevitably increase traffic flows along Dunstan Road, St. Andrew's Road, Old High Street, Osler Road and Barton Lane. Traffic flows along those roads are already substantial, particularly at peak times, as cars, vans and lorries use the roads to try to avoid the traffic through central Headington and around the John Radcliffe Hospital. The roads cannot cope with an increase in traffic. In particular, there is already frequently congestion in St. Andrew's Road, and Osler Road contains a blind right angle corner. I would add that, while Northway is not part of the conservation area, it too would be severely adversely affected by increased traffic, and the junction of Copse Lane with Headley Way is already heavily congested, particularly at peak times.

- Point o) suggests providing access via Stoke Place for cyclists and wheelers, but such access to Ruskin Fields would have to be via Stoke Place bridleway. That is far too narrow for such access and widening it would destroy its character.

In summary, the loss of three green fields at the heart of the band of such fields that run from Dunstan Park to Barton Lane, framing the village at its northern edge, would cause substantial damage to a designated heritage asset, stripping it of one of the features that give the conservation area its special character. Such harm would require clear and convincing justification and no such justification has been provided. Instead, great weight should be given to the conservation of the designated heritage asset. Proposed policy SPE14 fails to do that, contrary to the NPPF, is inconsistent with proposed policy HD3 and fails to have proper regard to the special character of the conservation area. Further, the proposed policy fails to take into account the reasonable alternatives and is not based on proportionate evidence and is therefore not justified.

Proposed policy SPE14 should be rejected as unsound and be deleted.





Views from Stoke Place bridleway across Ruskin Fields (1) across the eastern field towards Elsfield (2) across the eastern field towards the central field (3) ditto, with resting roe deer in the centre.

2. <u>Adverse impact on the natural environment</u>

The NPPF requires planning policies to *"contribute to and enhance the natural and local environment by: (a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils …; (b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services …; (d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures and incorporating features which support priority or threatened species …"*[15].

The NPPF also requires plans to *"allocate land with the least environmental or amenity value, where consistent with other policies in this Framework; take a strategic approach to maintain and enhancing networks of habitats and green infrastructure"*[16]. Further, it says that *"to protect and enhance biodiversity and geodiversity, plans should: (a) …safeguard components of local wildlife-rich habitats and wider ecological networks, …wildlife corridors and stepping stones that connect them…; and (b) promote the conservation, restoration and enhancement of…ecological networks…and identify and pursue opportunities for securing measurable net gains for biodiversity"*[17].

Chapter 4 of the draft Local Plan ("A green biodiverse city that is resilient to climate change") is said to include *"policies for protecting and enhancing a network of green and blue spaces across our city for the multitude of benefits they provide"*. It explains that *"a key feature that contributes to the special character of Oxford is its close relationship with the natural environment that encircles and permeates the city"*. It also explains that the green infrastructure network *"performs a vital role in supporting the health and wellbeing of our residents and the wider environment"* and is particularly important for its multi-functional role[18]. It is recognised that loss of green space can fragment that network and harm the wider functioning it provides, and so no green space identified as part of the Green Infrastructure Network is considered surplus[19].

Ruskin Fields is designated as part of the Green Infrastructure Network in category G1B (supporting spaces)[20]. Proposed policy G1 indicates that development of category G1B spaces will only be permitted where "*any harm/loss is mitigated by ensuring sufficient reprovision, ideally onsite, and to the same standard or higher"*. Further, the importance of peat deposits is recognised in the policy context section for proposed policy R6.

The preamble to proposed policy SPE14 recognises the value of Ruskin Fields as a habitat for birds and for a number of protected species. I am aware from my own experience of

[15] §187.
[16] §188.
[17] §192.
[18] p.1 of Chapter 4.
[19] p.2 of Chapter 4.
[20] See the Policies Map.

its importance as a habitat for roe deer, birds of prey including red kites and buzzards, as well as many smaller birds, butterflies and other invertebrates. It is important to appreciate that Ruskin Fields is not merely a habitat corridor – it forms the core of the habitat provided by the broad band of fields running from Dunstan Park to Barton Lane. Development of Ruskin Fields would seriously damage that habitat.

Further, that band of fields contains a number of instances of spring-fed calcareous fen (or valley fen), emanating from the spring line along the north side of the hill on which Old Headington sits. Documented instances include one in Dunstan Park and one in the field below Larkins Lane belonging to the Oxford Preservation Trust, at both of which sites peat deposits have been identified. Another instance lies along the boundary between the central field of Ruskin Fields and the field to the north of 6 Dunstan Road, continuing into the north-western field of Ruskin Fields. It is believed that a further instance lies within Ruskin Fields itself.

Development of Ruskin Fields would cause serious harm to valley fen locations and to associated peat deposits. In particular, any access to a development on Ruskin Fields will need to be from Foxwell Drive, across the land owned by Oxford City Council (as to which see further below) and through the small north-western field. An access road would have to cross the area of valley fen in that field.

Again, proposed policy SPE14 is unsound because it is neither justified (neither taking into account the reasonable alternatives, nor being based on proportionate evidence) nor consistent with the policies of the NPPF.

While proposed policy SPE14 again pays lip service to a consideration of the effect of development on the natural environment, **it fails to "contribute to and enhance the natural and local environment" or to "protect and enhance biodiversity and geodiversity" as required by the NPPF. Further, notwithstanding the requirement to "allocate land with the least environmental or amenity value", the proposed policy fails to justify the allocation of Ruskin Fields by establishing that it has less environmental value than other sites which could be allocated for development.**

Further:

- Point i) says that "built development should avoid the southern part of the site where there is a pond with potential for wetland species, and a greater potential for peat deposits" and that "this area should be used for enhancements to biodiversity and green infrastructure". A similar point is made in point (d). (It is assumed that "northern" is intended instead of "southern".) **This ignores the fact that the whole of the site is important for the habitat value of Ruskin Fields and the broad band of fields of which they form the core. It also ignores the fact that building on the southern part of the site will affect the spring line from which the wetland areas in the northern part of the site are fed.**

- Point f) says that any development will only be permitted where it "can be demonstrated that there will be no harm or loss" of peat deposits (citing proposed

policy R6). However, it then goes on to say that "where there is the potential for harm to peat reserves, site layout should be designed accordingly to protect and mitigate any harm to identified peat deposits on the site". Those are inconsistent with each other. The first prevents development unless it can be demonstrated that there will be no harm to peat deposits; the second would allow a developer (i) to consider only identified peat deposits and (ii) to cause harm to them so long as that is mitigated. **But the more important point is that any development will affect valley fen ecosystems and associated peat deposits.**

For the reasons explained in points 1 and 2 above, proposed policy SPE14 is neither justified nor in accordance with national planning policy. It would also be inconsistent with proposed policy S1, and in particular points g) and h) which state that the City Council will aim to ensure development is located to *"Direct new development away from locations where it would have a negative impact on important blue and green infrastructure networks…helping to maximise opportunities on brownfield sites first"* and *"Take account of local historic context and respond appropriately to heritage significance"*. A plan which included proposed policy SPE14 would be unsound and it should be deleted from the draft Local Plan.

I would add one further observation. The proposed policy recognises that Foxwell Drive is likely to provide the only option for vehicular access to a development at Ruskin Fields. Access would have to be across land between Foxwell Drive and the northwestern field of Ruskin Fields. That land is owned by Oxford City Council. It is known that Ruskin College and Oxford City Council have recently entered into an option agreement under which Ruskin College has the option to purchase the land needed for an access road if planning permission were to be granted by the Council for development on Ruskin Fields. It is known that the value to the Council in those circumstances would be at least [redacted] though it has not stated what the actual value would be.

Given those circumstances, Oxford City Council plainly has a substantial pecuniary interest in the allocation of Ruskin Fields for development (and in subsequently granting planning permission for such a development). That gives rise to a conflict of interest when the Council is considering whether to propose the allocation of Ruskin Fields for development. Concerns are increased by the fact that all previous attempts on the part of Ruskin College to have Ruskin Fields allocated for development have been rejected, and that the proposed development is manifestly inappropriate for the reasons explained above. I have not found anything in the draft Local Plan or the documents accompanying it which acknowledges the Council's pecuniary interest, let alone addresses the question of how the Council has sought to avoid any conflict of interest in its decision-making process.

This is a matter which cannot be ignored, either in the Council's own decision-making process or when the draft Local Plan is assessed by an Inspector. There must be intense scrutiny of whether the allocation of Ruskin Fields for development is indeed justified and

in accordance with national planning policy or whether the inclusion of proposed policy SPE14 is at least in part motivated by the Council's pecuniary interest.