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OXFORD CITY COUNCIL

Oxford Local Plan 2045

Submission Draft

COMMENT FORM

Part A

You only need to fill Part A in once

Your name: Robert Linnell

Organisation (if applicable): Christ Church (ChCh)

Address: c/o Savills

[redacted]

Email:

Date: 13th 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 2045 Proposed Submission Consultation only, and we will only store your data until the Oxford Local Plan 2045 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
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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	See ChCh Report	Policies Map	See ChCh Report
Policy Number	See ChCh Report	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.

See ChCh response report for responses to Q2, Q3 and Q4 in relation to: National Policy; Duty to Cooperate; Plan Period; The Vision for Oxford; Objectives and Strategy; Overarching Threads; Policy S1; Policy S4: Plan Viability; Policy H1; Policy H2; Policy H3; Policy E1; Policy G1; Policy G3; Policy R1; Policy HD4; Policy CBLAOF; Policy WEBRAOF; Policy SPCW2; Policy SPCW4 [CHECK]; and Policy SPCW11.

In addition, see ChCh response report for responses in support (subject to minor amendments) to: Policy S2; Policy S3; Policy H14; Policy E3; Policy E5; Policy R3; Policy HD1; Policy HD2; Policy HD6; Policy C5; and Policy C7.

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.

See ChCh response report for responses to Q5.

Please use an extra sheet if completing a paper copy.

This is the end of the comment form

Oxford Local Plan 2045 Submission Draft (Regulation 19)

Response on behalf of Christ Church

March 2026

PREPARED FOR

CHRIST CHURCH
UNIVERSITY OF OXFORD

savills

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1. Executive Summary

1.1.1 Council's Oxford Local Plan 2045 Submission Draft (Regulation 19) (LP45) consultation.

1.1.2 Christ Church (ChCh) is one of the largest Colleges in the University of Oxford as well as a major landowner in and around the City. ChCh also has a number of wider investment and development interests across the City and outside of but on the edges of the City.

1.1.3 Overall ChCh generally supports the policies in the emerging Local Plan 2045 but has comments on the following matters which it considers need amending to ensure the plan is Sound. Suggestions are made to make these policies sound and these will require modifications:

- The Vision.
- Policy S1: Spatial Strategy and Presumption in Favour of Sustainable Development.
- Policy S4: Plan Viability.
- Policy H1: Housing Requirement.
- Policy H2: Delivering Affordable Homes.
- Policy H3: Affordable Housing Contributions from Other Development Types.
- Policy E1: Employment Strategy.
- Policy G1 – Protection of Green Infrastructure.
- Policy G3: Provision of New Green and Blue Features – Urban Greening Factor.
- Policy R1: Net Zero Buildings In Operation.
- Policy HD4: Non-Designated Heritage Assets.

1.1.4 ChCh generally supports the proposal to identify several 'Areas of Focus', including the Cowley Branch Line Area of Focus; and the West End and Botley Road Area of Focus. In addition, ChCh supports the individual site allocation policies for (subject to confirmation of the changes sought to Housing Policies H2 and H3).

- Policy CBLAOF: Cowley Branch Line Area of Focus.
- Policy WEBRAOF: West End and Botley Road Area of Focus.
- Policy SPCW2: Botley Road Sites around Cripley Road including River Hotel and Westgate Hotel.
- Policy SPCW4: Faculty of Music.
- Policy SPCW11: St Thomas School and Osney Warehouse.

1.1.5 There are a number of policies that are supported but suggestions for minor modification, namely:

- Policy S2: High Quality Design.
- Policy S3: Infrastructure Delivery In New Development.
- Policy H14: Boarding School Accommodation.
- Policy E3: Community Employment and Procurement Plans.
- Policy E5: Hotel and Short Stay Accommodation.
- Policy R3: Retro-Fitting Existing Buildings.
- Policy HD1 Principles of High Quality Design.
- Policy HD2: Making Efficient Use of Land.
- Policy HD6: Views And Building Heights.
- Policy C5: Protection, Alteration and Provision of Cultural and Social Venues, Pubs and Visitor Attractions.
- Policy C7: Cycle and Powered Two Wheelers Parking Design Standards.

2. Introduction

2.1 Background

2.1.1 Savills is instructed by Christ Church (ChCh) to submit the following comments on the City Council's Oxford Local Plan 2045 Submission Draft (Regulation 19) (LP45).

2.1.2 ChCh is one of the largest Colleges in the University of Oxford as well as a major landowner in and around the City.

2.1.3 ChCh's property portfolio includes a full spectrum of buildings ranging from high quality listed buildings (Grade 1 Cathedral), designated and non-designated heritage assets, through to modern buildings. ChCh also has retail, residential and commercial interests in the City as well as being an important tourist destination and the Cathedral has regular religious services for the wider Oxford community and Diocese. ChCh also owns and looks after Christ Church Meadows, which are a registered Park and Garden of Historic Interest which are important to biodiversity and the setting of Oxford. ChCh also runs an independent day school for pupils aged 3-13, the Christ Church Cathedral School.

2.1.4 ChCh has a number of wider investment and development interests across the City and outside of but on the edges of the City. These include retail, commercial and agricultural land as well as joint interests in current planning applications for residential led development to the north and west of the City. ChCh's interests are therefore wide ranging and it is important to the future of Oxford.

2.1.5 ChCh has previously submitted representations to the now withdrawn Oxford Local Plan 2040 and the Oxford Local Plan 2042 Regulation 18 Draft and submitted sites in its ownership to Call for Sites consultations undertaken by the City Council.

2.1.6 In addition to this submission on behalf of Christ Church, Savills has separately submitted representations on behalf of the University of Oxford and Colleges Group.

2.1.7 Overall ChCh generally supports the emerging planning policies in the LP45 but has comments on certain policies that are of interest to it (see the sections below in this Response). These include the Spatial Strategy and Housing Requirement which need to go further in responding to the challenges faced by Oxford. In particular to maximise housing delivery within the City and to address any unmet housing need beyond the City.

2.1.8 There are also a number of specific points that ChCh would like to make as set out below:

2.2 Legal Compliance

2.2.1 ChCh raises no issues with the legal compliance of the Local Plan.

2.3 National Policy

2.3.1 We note that reference is made throughout the LP45 to the National Planning Policy Framework (NPPF) and to Planning Practice Guidance (PPG). Should any changes be made to the NPPF and to PPG during the course of the Local Plan preparation (including its Examination), we would expect the Council to reflect those changes, where appropriate. We therefore, reserve the right to amend our representations to reflect the new national policy and guidance and any changes the Council makes to the draft Local Plan prior to submission for examination or subsequently.

2.4 Duty to Cooperate

2.4.1 Local planning authorities are currently bound by the statutory Duty to Co-operate (DtC) through the Localism Act 2011, when preparing or supporting the preparation of policies which address strategic matters including those policies of Local Plans. However, the statutory Duty to Cooperate will cease on 25th Mach 2026 under The Levelling Up and Regeneration Act 2023 (Commencement No. 11 and Saving and Transitional Provisions) Regulations 2026). As a result of this, the DtC will not be a legal requirement at the time that this Local Plan is examined.

2.4.2 However, the assessment of the Local Plan must still meet the guidance set out in the NPPF. The Minister of State in his letter to the Chief Executive of the Planning Inspectorate dated 27th November 2025 regarding the abolishment of the Duty stated that "*LPAs should continue to collaborate across their boundaries, including on unmet development needs from neighbouring areas and Inspectors should continue to examine plans in line with the policies in the NPPF on 'maintaining effective co-operation*" (our emphasis).

2.4.3 To this end, paragraph 26 of the NPPF (February 2025) states that "*Effective and on-going joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy. In particular, joint working should help to determine where additional infrastructure is necessary, and whether development needs that cannot be met wholly within a particular plan area could be met elsewhere*".

2.4.4 Paragraph 24 of the NPPF (February 2025) also states that "*effective strategic planning will play a vital and increasing role in how sustainable growth is delivered*" and Paragraph 25 states that "*Strategic policy-making authorities should collaborate to identify the relevant matters which they need to address in their plans*".

2.4.5 For the examination of Plans, Paragraph 36(b) of the NPPF states that Plans are sound if they are, amongst other things, based on effective joint working, as evidenced by a statement of common ground (SoCG). The SoCG will form part of the evidence required to demonstrate compliance with the duty to co-operate.

2.4.6 To address the "*chronic undersupply of housing*" (Chapter 1, third paragraph), "*acute housing pressures*" in Oxford Chapter 2, third paragraph) and the "*urgent need for more housing*" (Chapter 2, third paragraph), there is still a requirement for the Council to maximise the provision of housing within the City and continue to liaise with its neighbouring authorities and other organisations to account for any unmet housing need in line with the policies in the NPPF.

2.4.7 This matter is addressed further in ChCh's response to Policy H1 (see below).

2.5 Plan Period

2.5.1 ChCh notes that the end of Local Plan period has, since the Regulation 18 consultation, been extended from 2042 to 2045. The extended Local Plan period is supported as it should, assuming that the Plan is adopted without significant delay, provide more than a minimum lifespan for its policies of more than 15 years as required by Paragraph 22 of the NPPF.

2.6 Strategic Policies

2.6.1 The LP45 should make it explicit which policies are strategic policies and include these as an appendix. This is not clear in the LP45.

3. Local Plan Chapter One 'Introduction and Strategy'

3.1 Vision for Oxford

Policy or Paragraph Reference	Legally Compliant?	Sound?	If Unsound is it because it is not:	
Vision	Yes	No	Positively Prepared	X
			Justified	X
			Effective	
			Consistent with National Policy	

3.1.1 The wording of the Vision (on Page 1) is the same as set out in the submission version of the withdrawn Local Plan 2040.

3.1.2 ChCh generally supports the Vision for Oxford but it does not address two key aspects, namely the important role that the two Universities play in Oxford; and the acute housing need in the City. Furthermore, ChCh notes the following:

(i) The Universities and Colleges play a fundamental role in the social, educational, tourism, and local economy of Oxford, and indeed wider Oxfordshire, as is noted in Page 1 (second paragraph), Page 15 (first bullet point) and Chapter 4 (page 1, first paragraph) of the LP45. In addition the Universities and Colleges require a functioning ecosystem. Good schools are part of this and access to schools for children of visiting academics is important. The Local Plan must encourage and support schools to expand and enhance their facilities as needed. These points should be recognised in the Vision.

(ii) Whilst the LP45 makes reference to there being a "*chronic undersupply of housing*" (Page 1, third paragraph), the Vision does not acknowledge this (only referring to 'access to housing') or set out any meaningful approach to addressing it. This should be a fundamental element of this Local Plan. Our response to Policy H1 makes reference to the use of the standard method and it providing a minimum figure that can be uplifted in order to recognise additional housing need arising from an uplift in planned economic growth, in calculating the City's housing requirement in the new Local Plan.

3.1.3 In terms of the lifespan of the Vision, ChCh notes that the NPPF Paragraph 22 encourages Local Plans to have a Vision which looks over a longer term period (at least 30 years). In particular, where larger scale development is proposed and to take account of likely timescales for delivery. Whilst this is not a requirement for this Local Plan given the lack of large scale development proposals, having a longer term Vision for Oxford (which envisages how Oxford's housing and employment needs will be delivered over the longer term) is important given its inability to meet its identified housing need. This longer term, joined up, approach was being taken in the, now abandoned, Oxfordshire 2050 Spatial Strategy and one that ChCh encourages the City to take in its LP45

3.1.4 To respond to ChCh's comments, the following amendments are suggested to the Vision:

Suggested Amendment
Amend Vision to read: *"In 2045 Oxford will be a healthy and inclusive city, with strong communities that benefit from equal opportunities for everyone, not only in access to housing, but to nature, employment, social and leisure opportunities and to healthcare.* *Oxford will be a city with a strong cultural identity, that respects and values our heritage, whilst maximising opportunities to look forwards to innovate, learn and enable businesses**, the University of Oxford and Oxford Brookes University,** to prosper.* *The vision is one which **addresses the housing needs in Oxford by making efficient use of land in the City and working collaboratively with neighbouring authorities to address any shortfalls in housing delivery and supporting infrastructure; and** supports research and development in the life sciences and health sectors which will continue to provide solutions to global challenges.* *The environment will be central to everything we do; it will be more biodiverse, better connected and more resilient. Resources will be utilised prudently whilst mitigating our impacts on the soil, water, and air.* *The city will be net zero carbon, whilst our communities, buildings and infrastructure will be resilient to the impacts of climate change and other emergencies."*

3.2 Objectives and Strategy

3.2.1 ChCh supports the objectives for the Plan, which are built off the six themes (i.e. of society, environment, economy, societal / economy, societal / environment, and environment / economy). In particular the recognition of the help that should be given to Oxford to continue in its role as a national and international destination and support the visitor economy.

3.3 Overarching Threads

3.3.1 ChCh supports the Overarching Threads to reduce inequalities across the City, and to address climate change.

3.3.2 However, the two elements that the Plan does not address in full (as 'overarching threads') are housing, as discussed above (and in relation to Policy H1 – see attached table); and infrastructure/transport (partly because this is for the County Council).

3.3.3 For example, when the measures introduced by the City and County Councils relating to the Zero Emissions Zone which favour those that can afford electric vehicles. These can often be out of reach, financially, for many people living and working in Oxford. Indeed, the temporary Congestion Charge introduced in 2025 by the County Council already places a restriction on access to the City Centre and a financial burden on those living and working in the City. In addition, reduced car parking standards, particularly zero parking will discriminate against those people that rely on a car for work purposes, i.e. those that need to carry tools or supplies or those that work "anti-social" hours (for example support/facilities/security and domestic staff). The policies need to include flexibility to provide an inclusive society.

3.4 Policy S1: Spatial Strategy and Presumption in Favour of Sustainable Development

Policy or Paragraph Reference	Legally Compliant?	Sound?	If Unsound is it because it is not:	
Policy S1: Spatial Strategy and Presumption in Favour of Sustainable Development	Yes	No	Positively Prepared	X
			Justified	X
			Effective	X
			Consistent with National Policy	

3.4.1 Policy S1 does not set out a spatial strategy especially in how it will deal with housing and the unmet housing need identified. The policy should be split in to two separate policies, as having one combined policy is not appropriate. The two proposed policies should cover the following: (i) Spatial Strategy; and (ii) The Presumption in Favour of Sustainable Development.

3.4.2 This new policy should set out a Spatial Strategy for meeting the vision and objectives of the Local Plan referring to the need to maximise housing delivery in Oxford. The Spatial Strategy should also set out how the proposed development is to be delivered over the plan period and beyond.

3.4.3 The Spatial Strategy should follow the approach in the extant Local Plan (i.e. maximising growth in the City, including the Areas of Focus, and then adopt a hub and spokes approach, with the City being the focus for education, tourism and employment but having good infrastructure links into the surrounding Districts where housing is more readily deliverable).

3.4.4 The wording of the Spatial Strategy should fulfil the role of this Local Plan and respond to challenges outlined in Local Plan Chapter 1 (Page 1) which include "*national and international pressures such as rising build costs for new development, a chronic undersupply of housing, climate change and energy insecurity*". And to "*build upon the positive aspects of the city that make it so special. The Local Plan contains positive planning policies to ensure the optimum outcomes for the city's residents, environment, businesses, education and health institutions*".

3.4.5 In terms of addressing the undersupply of housing, the wording of the new Spatial Strategy should be similar to the adopted Local Plan 2036 which acknowledged that "*addressing the housing issue is a key priority…*".

3.4.6 The locational text in Chapter 8 of Local Plan which is more akin to a spatial strategy should also be reflected in the Spatial Strategy, to focus delivery in sustainable locations.

3.4.7 The Spatial Strategy should also respond to the importance of Oxford's location as stated in the introductory paragraphs on Page 1 of Chapter 3 of the LP45, including the following references:

- *"Oxford is a city with a global reputation and has many major economic assets. These include two leading universities, and cutting-edge research in key areas including biotech, data science, quantum technology and robotics. The city is home to an increasingly diverse array of enterprises that are driving economic growth and prosperity for all. The city also has an impressive tourism economy."* (Chapter 3, first paragraph)
- *Oxford's economy is shaped by the presence of its two successful universities. … Oxford is an attractive location for a range of companies and can foster home-grown spin out businesses because of the existing research capabilities, the ready supply of graduates and the clustering effect of organisations with close ties in a number of related areas. … Oxford's economy makes a vital contribution to the regional and national economy."* (Chapter 3, second paragraph)

- *"Oxford is the most sustainable location for employment in the county. It is often easier to strengthen and develop the public and active transport systems to take people to jobs in the city rather than scatter employment to less sustainable locations".* (Chapter 3, third paragraph)

3.4.8 Without a clear spatial strategy the LP45 is unsound as it is not positively prepared, effective or justified.

Suggested Amendment
The following changes are proposed to Policy S1: 1. Policy S1 should be split into two separate policies, one dealing with Spatial Strategy and a separate one dealing with the Presumption in favour of sustainable development. 2. Policy S1 should set out a Spatial Strategy which: - meets the vision and objectives of the Local Plan; - refers to the need to maximise housing delivery in Oxford; - sets out how proposed development is to be delivered over the plan period and beyond; and - follows the approach in the extant Local Plan (i.e. maximising growth in the City, including the Areas of Focus, and then adopt a hub and spokes approach, with the City being the focus for education, tourism and employment but having good infrastructure links into the surrounding Districts where housing is more readily deliverable). 3. The policy concerning the presumption in favour of sustainable development should include relevant text from the current Policy S1.

3.5 Policy S4: Plan Viability

Policy or Paragraph Reference	**Legally Compliant?**	**Sound?**	**If Unsound is it because it is not:**	
Policy S4: Plan Viability	Yes	No	Positively Prepared	
			Justified	
			Effective	
			Consistent with National Policy	X

3.5.1 BNP Paribas has prepared a Local Plan viability assessment (dated December 2025). The general conclusion of the report states "*…It would be difficult to set a suite of policies that are viable for all potential developments coming forward without reducing them to a 'lowest common denominator', which would reduce overall delivery of policy objectives below capacity on many schemes. A policy approach that sets ambitious targets which may not be fully achieved in all cases is better placed to optimise delivery of policy objectives, although this inevitably comes with the downside of a higher volume of site-specific viability testing at the development management stage*".

3.5.2 The LP45 has set out an ambitious set of policies that if combined will lead to developers increasingly needing to engage with the City Council and undertake viability assessments under Policy S4.

3.5.3 Whilst ChCh understands the City's objective for making policies aspirational this will have the potential effect of dissuading investment in the City as it is not until late in the planning application

process that any certainty will be gained on where the viability of a scheme will land (as per paragraph 59 of the NPPF). This applies more to sites that have already been purchased than new proposals that can take account of the requirements and decide whether to proceed or walk away. The City needs to balance having ambitious policies whilst also making the City an attractive location to invest.

3.5.4 If schemes do proceed, then a final conclusion will only be after significant up front cost on the application, and land agreements as well as adding further cost to this process in the preparation of the viability assessment and in paying for the Council's assessor to review the submitted information. The effect will be an even higher development cost and greater impact on what can be delivered.

3.5.5 The viability process will also slow up the decision making process and delivery of development contrary to the overall aim of the NPPF to speed up delivery.

3.5.6 This approach is also contrary to NPPF paragraph 35 that states: "*Plans should set out the contributions expected from development. This should include setting out the levels and types of affordable housing provision required, along with other infrastructure (such as that needed for education, health, transport, flood and water management, green and digital infrastructure). Such policies should not undermine the deliverability of the plan*" (our emphasis).

3.5.7 Policy S4 therefore seeks to address the onerous policies in the plan. ChCh considers that this process should be undertaken at the pre-application stage at a high level and then refined once a planning application has been submitted.

3.5.8 Changes sought to the Plan and Policy S4 are set out below:

Amend the plan to ensure:

- The overall ambition of policies in the plan should be re-assessed to encourage development to take place and ensure that paragraph 35 of the NPPF is met, namely that the policies as a whole do not undermine the deliverability of the plan – as is alluded to in the Viability Assessment.

To amend Policy S4:

- To include the ability to undertake a high level viability assessment at the pre-application stage and then refine it once an application is submitted.

4. Local Plan Chapter Two 'A Healthy Inclusive City to Live In'

4.1 Policy H1: Housing Requirement

Policy or Paragraph Reference	Legally Compliant?	Sound?	If Unsound is it because it is not:	
Policy H1: Housing Requirement	Yes	No	Positively Prepared	
			Justified	X
			Effective	X
			Consistent with National Policy	X

4.1.1 ChCh objects to policy H1 and considers that it is not sound.

4.1.2 The policy only refers to a capacity limited housing requirement figure of 9,267 dwellings. It does not mention the housing need figure, as calculated by the Standard Method of 21,740 dwellings. It also does not set out a strategy for how the Council will be delivering the remaining 12,473 homes. As such the policy is contrary to paragraph 61 of the NPPF in that it fails to meet the area's identified housing need (21,740 homes).

4.1.3 The Council has correctly used the Standard Method to determine its minimum, unconstrained, housing need (21,740 homes). It has also reviewed the capacity of the City to accommodate housing including an appropriate level for windfall sites. This has arrived at a capacity of 9,267 homes limit, 12,473 homes below the identified need.

4.1.4 Planning Practice Guidance states that the housing requirement is the minimum number of homes that a plan seeks to provide during the plan period. Paragraph 69 of the NPPF states that the housing requirement can be higher than the housing need figure to "*reflect growth ambitions*". The Oxford Growth Commission was established in Spring 2025 to "*help accelerate growth in the city and its surrounding area*". In its Interim Report in December 2025[1] the Chair, Neale Coleman CBE, notes that Oxfordshire has been one of the fastest growing economies in the UK with sustained job growth of around 6,000 per year from 2010-2018. The Report states "*Current analysis by Volterra for Oxford City Council forecasts the potential for Oxfordshire's GVA to increase from £38.4 billion in 2023 to £64.9 billion in 2050 with an additional 218,000 jobs.*"

4.1.5 Despite this the Council has not undertaken any further assessment to reflect growth ambitions, whilst still clearly recognising the potential for the City's economy to grow over the plan period (see Objectives and Key Themes in LP45).

4.1.6 Indeed, the housing requirement which has been followed in this Plan is significantly lower than the figure in the now withdrawn Local Plan 2040, namely 1,322 dwellings per annum (dpa) (i.e. a total of 26,440 dwellings over that Plan period) whereas the LP45 identifies the housing need figure of 1,087 dpa (i.e. a total of 21,740 dwellings 2025-2045). This is a reduction in the housing need figure between the two Plans of 4,700 dwellings. The Council clearly considered that there was a need for this level of housing growth in submitting its 2040 Plan. However, there is no explanation of why the City Council has changed its growth ambitions in the LP45 but not changed its objectives or core themes?

[1] Oxford Growth Commission Interim Report – December 2025

4.1.7 There is clearly huge potential and ambition for economic growth in Oxford as identified by the Oxford Growth Commission. This is not being met in the LP45 which sets out a housing requirement significantly lower than the minimum housing need figure and that previous targeted in the now withdrawn 2040 plan. The implication being that this will negatively impact the potential of the Oxford economy to be sustained and grow over the plan period. This can not be allowed to happen, especially given Rachel Reeves growth plans for the Oxford-Cambridge Growth Corridor (see Forward to Oxford Growth Commission Interim Report).

4.1.8 The LP45 must set a more ambitions housing requirement figure to reflect this economic growth ambition and also include an appropriate buffer to reflect past under delivery.

4.1.9 In addition, the LP45 does not set out a policy as to how it will meet the minimum housing need. It is clearly relying on the level of unmet need being delivered by surrounding authorities but there is no apparent spatial strategy to achieve this.

4.1.10 The Oxford Growth Commission's Interim Report refers to the lack of such a strategy stating: "*Delivering on the strategic vision requires a spatial investment and land use strategy across the County that joins up economic growth with investment in transport, new housing including new affordable housing, achieving net zero, nature recovery and the environment, and skills and employability. A vital element in such a strategy is aligning economic growth with requirements for new housing to improve affordability and reduce commuting pressures. However, for some time there has been no countywide strategy; this alignment has not been achieved, and housing affordability and congestion have worsened. The commitment to an Oxfordshire Plan 2050, agreed by the local authorities with Government in 2017, was abandoned in 2022. Since then, the gap between Council plans for new housing and what is needed has widened, with current emerging plans collectively falling well short of the minimum requirements set by Government.*"

4.1.11 The reduced housing need figure used in the current Local Plan, and the housing requirement figure used in Policy H1 which follows from the Council's assessment of site capacity, will result in the Council delivering a lower level of affordable housing (when compared with what could have been delivered under the Local Plan 2040). This will also result in the delivery of fewer homes to support economic growth.

4.1.12 If this downward trend in identifying lower levels of housing continues in the future, and taking account of the limited capacity of the City to accommodate future development, this will call into question how the Council can provide for future growth to support its population and economy.

4.1.13 It is accepted that increases in housing delivery could be achieved during the current Plan period through increasing the density of housing development on larger sites (as could happen in relation to sites around the re-introduced Cowley Branch Line). In addition, the outcome of Local Government Reorganisation is one way to potentially address the ability of Oxford to meet it minimum Housing Need.

4.1.14 However, in line with ChCh's response to the Vision (see above), this Local Plan needs to grapple with the issue of how to address the City's longer term housing needs and economic ambitions over a longer horizon to provide some reassurance for future investment plans.

4.1.15 To progress a long-term strategy for meeting future housing and economic needs will require cross-boundary working with neighbouring Local Authorities. Such work should also build upon the joined-up approach that was being taken in the Oxfordshire 2050 Spatial Strategy, and take into account the findings of the '*Interim Report of the Oxford Growth Commission*' (December 2025).

Suggested Amendment
The Council must undertake a review of the housing requirement to meet the economic ambitions of Oxford, as referenced in the Oxford Growth Commissions Interim Report.

Change H1 to refer to the housing need figure of 21,740 homes. The supporting text should then refer to the constraint led housing requirement figure of 9,267 home and the unmet housing need to be found in surrounding local authority districts or 12,473 homes. There should be an agreed position/memorandum of understanding with surrounding authorities to accommodate the 12,473 home unmet need figure, within the plan period. The previous unmet housing need figure having not delivered any housing to date. This cannot be let simply roll forward. Further consideration is required in this Local Plan to developing a longer term development strategy and vision to plan for future growth.

4.2 Policy H2: Delivering Affordable Homes

Policy or Paragraph Reference	Legally Compliant?	Sound?	If Unsound is it because it is not:	
Policy H2: Delivering Affordable Homes			Positively Prepared	X
			Justified	
			Effective	X
			Consistent with National Policy	

4.2.1 ChCh generally supports the delivery of affordable housing in the City.

4.2.2 It is noted that the main 40% affordable housing requirement is a reduction from the one which was included in the adopted Local Plan 2036 (which required 50%). ChCh supports this reduction in the requirement as it should encourage residential development and, in turn, boost the supply of affordable housing.

4.2.3 However, ChCh objects to this policy requirement being related to the gross number of dwellings to be provided as part of individual developments.

4.2.4 If this particular gross requirement is applied to the redevelopment of sites, which are often complex and expensive to deliver, it will significantly affect the viability of schemes and discourage the regeneration of parts of the City. Instead, this requirement should relate solely to the net number of new homes to be provided.

Suggested Amendment
Amend Policy H2 to read: "On self-contained residential developments (including Use Classes C3 and C4 but excluding self-contained student accommodation, older persons accommodation and employer-linked housing) where sites* have a capacity for 10 or more homes (gross), a minimum of 40% of the **net increase in** units on the site should be provided as homes that are truly affordable in the context of the Oxford housing market. On sites in the Green Belt or released from the Green Belt, this should be a minimum of 50% **of the net increase in units on the site**."

4.3 Policy H3: Affordable Housing Contributions from Other Development Types

Policy or Paragraph Reference	Legally Compliant?	Sound?	If Unsound is it because it is not:	
Policy H3: Affordable Housing Contributions from Other Development Types	Yes	No	Positively Prepared	X
			Justified	X
			Effective	X
			Consistent with National Policy	

4.3.1 ChCh recognises the need for affordable housing in the City and the inability of the Council to address its housing need within the City alone. Whilst it is important to meet this need ChCh objects to Policy H3 (Parts (e) and (f)) in relation to the Council's approach to seeking affordable housing financial contributions from new commercial development (i.e. 'proposals for major employment-generating uses (defined in Glossary), or flexible E-Class uses which could be used for employment-generating use, delivering a net gain in floorspace of 1000sqm GIA or more'). This is due to the following:

a. The City Council included such a policy requirement in a previous adopted Local Plan. However, this was dropped in the extant Local Plan. There is no clear reason to re-introduce such a policy now.

b. The housing requirement takes in to account the need for housing generally in the local area and also the level of affordable housing. There is no evidence that employment development will create an additional affordable housing need.

c. The policy relies on a high level assumption that employment development will generate a need for affordable housing. If this policy is taken forward this assumption should be assessed on a case by case basis. It also assumes that employees will live in Oxford, rather than more affordable locations in the surrounding Districts or further afield.

d. The Policy fails to take account of a company moving from one part of Oxford to another and where the old premises are changed to housing – where no additional need will be generated. It assumes all jobs will be newly created which is rarely the case.

e. It makes no assumption for market housing need.

f. The NPPF and NPPG only make reference to seeking affordable housing from major residential developments. There are no references to such contributions or provision being sought from commercial development.

g. There is no certainty that any financial payments under this policy will actually deliver affordable housing and certainly no ability to ring fence these to the identified workers being generated from such proposals. Indeed, the Councils background paper on affordable housing (reference BGP-002 Affordable Housing Reg 19) confirms the following: "Whilst the housing would not necessarily go directly to the staff of the development site, it would generally help supply of affordable housing".

h. As the City has confirmed it is unable to meet its housing need figure within the City, it is unclear where the additional affordable homes will be provided?

i. The level of contribution is an arbitrary figure and has not been demonstrated to be at a level to mitigate any impact identified and is not related in scale or kind to the proposed development. In addition, as the contribution would need to be implemented through planning obligations the requirement would fail the Regulation 122 tests. Employment development would be supported by other policies in LP45 and such a contribution is not needed to make the development acceptable in planning terms. There is no direct relationship to the proposed development and the scale of payment is no related to the actual cost of delivering affordable housing. Despite the potential to raise money for affordable housing does not mean the policy is justified.

4.3.2 In addition, we note that a similar style of Policy was included in the Westminster City Plan 2019-2040, which was examined in 2020. That policy (Policy 10 of the Submission Draft)[2] included a requirement for contributions from certain commercial developments (as defined in that policy). The Inspectors commented on that policy requirement in paragraphs 76 to 88 of their Report3 and recommended that the Policy be removed (which it was in the Adopted Plan). In coming to their conclusion, the Inspectors noted that the policy requirement "would simply require financial contributions to the City-wide Affordable Housing Fund. It would not achieve the key objective of the submitted Policy 10" (paragraph 85) to ensure mixed, inclusive and cohesive communities.

4.3.3 ChCh has no comments on those elements of Policy H3 relating to affordable housing contributions from new purpose-built student accommodation and from self-contained older persons accommodation).

Suggested Amendment
Policy H3 should be amended to take account of the following changes: First Paragraph: Delete references to "*and new employment-generating uses*". Parts (e) and (f): Delete these requirements.

[2] https://www.westminster.gov.uk/sites/default/files/core_001_regulation_19_publication_draft_city_plan_2019-2040_wcc_june_2019.pdf

[3] See copy in Appendix A

5. Local Plan Chapter Three 'A Prosperous City with a Globally Important Role in Learning, Knowledge and Innovation'

5.1 Policy E1: Employment Strategy

Policy or Paragraph Reference	Legally Compliant?	Sound?	If Unsound is it because it is not:	
Policy E1: Employment Strategy	Yes	Yes	Positively Prepared	
			Justified	
			Effective	
			Consistent with National Policy	

5.1.1 Policy E1 differs from the corresponding one in the adopted local plan (and previous 2040 Local Plan) in that it only proposes two categories of employment site: Key Employment Sites; and non-designated employment sites. ChCh supports this approach and the identification of the Chiltern Business Park within the list of Key Employment Sites as set out in Appendix 3.1 of Local Plan 2045.

5.1.2 However, there appears to be no mechanism in the LP45 to change category outside of a review of the Local Plan. For example. a change in occupier could elevate the status of a site to a Key Employment Site.

5.1.3 It is therefore suggested that a mechanism is provided in the this Local Plan to review the categorisation of employment sites on a regular basis and update the list within Appendix 3.1.

5.1.4 ChCh also notes that Policy E1 is unnecessarily restricted in scope regarding the types of employment generating which should be allowed within Key Employment Sites. This restriction comes from the current definition of 'Employment Generating Uses' in the Glossary. For example. the Glossary definition does not include the following uses which can generate significant numbers of new jobs: retail, financial / professional services, indoor sport / recreation, medical / health services, creches / nurseries (Use Classes E(a), E(c), E(d), E(e) and E(f)); and hotels (Use Class C).

Suggested Amendment
Amend Policy E1 as follows: Add wording which includes a mechanism to change the category of employment sites outside of a review of the Local Plan. This review should be undertaken regularly and the list of Key Employment Sites in Appendix 3.1 updated accordingly. Amend the Glossary to include additional employment generating uses that are suitable in a Key Employment Sites:

"Employment generating uses are referred to in planning terms as employment floorspace or employment land. Employment generating uses include the sectors that make up the following Use Classes:

- Use Class EG(i): Office
- Use Class EG(ii): Research and Development (R&D)
- Use Class EG(iii): Light Industrial
- Use Class B2: General Industrial
- Use Class B8: Warehousing, Storage and Distribution
- Use Classes E(a): Retail
- Use Classes E(c): Financial / professional services
- Use Classes E(d): Indoor sport / recreation
- Use Classes E(e): Medical / health services
- Use Classes E(f): Creches / nurseries
- Use Class C: Hotels"

6. Local Plan Chapter Four 'A Green Biodiverse City that is Resilient to Climate Change'

6.1 Resilience to Climate Change

6.1.1 ChCh welcomes the general approach to the policies set out in Chapter 4 of the LP45.

6.1.2 However, there appear to be overlaps between the policies set out in Chapter 4 and also conflicts with the wider aspirations and proposed allocations of this Local Plan. ChCh suggests the need to protect all green space unless it is demonstrated that there are benefits in its loss (i.e. in providing housing) and that all efforts have been made to mitigate the loss, either on site or off-site.

6.2 Policy G1 – Protection of Green Infrastructure

Policy or Paragraph Reference	Legally Compliant?	Sound?	If Unsound is it because it is not:	
Policy G1 – Protection of Green Infrastructure	Yes	No	Positively Prepared	
			Justified	
			Effective	X
			Consistent with National Policy	

6.2.1 Policy G1 refers to protection of the GI Network (green infrastructure). The LP45 defines 'core spaces' (G1A), 'supporting spaces' (G1B) and 'all other green spaces' (G1C).

6.2.2 We note that it is difficult to differentiate between core spaces (G1A) and all other green spaces (G1C) on the interactive policies map. This will result in difficulties in interpretation given the scale of mapping involved. In addition, it is questioned how the core spaces, supporting spaces and all other green spaces has been identified and defined. For example, there are areas within Christ Church that are shown as 'core spaces' but actually comprise hard paving, built structures, a pond and compost bins, which aren't green in nature under the definition of Policy G1.

6.2.3 In addition, the policy is very strict and does not allow any loss of or harm to any 'core spaces' (G1A). This is too restrictive.

6.2.4 In relation to 'supporting spaces' (G1B), the policy requires re-provision ideally on site. For that to be achieved it is possible that it could only be achieved by the demolition of buildings. The policy should be amended to provide some flexibility, especially given the inaccuracy in the mapping and assessment criteria and clarity provided around how the Council considers mitigation on site could be achieved.

6.2.5 In relation to loss of trees on a site, it is not always possible to re-plant on the site and make efficient use of the land. As such some cascade to planting trees nearby should be considered.

6.2.6 As drafted the policy is not effective and will impact on the wider development policies in the plan seeking to make efficient use of land. Policy G1 should be amended to provide more flexibility in the

policy to ensure it takes a positive approach to development. It would also make sense to combine the criteria in this policy with those in Policy G6.

Suggested Amendment
Amend Policy G1 as follows: *"G1A: Core spaces* *Planning permission will not be granted for development that would result in* ***significant*** *loss of, or harm to, the protected spaces identified as part of the Core GI Network. These spaces are designated G1A on the policies map.* *G1B: Supporting spaces* *Planning permission will only be granted for proposals which affect spaces identified a part of the Supporting GI Network where any* ***significant*** *harm/loss is mitigated by ensuring sufficient reprovision, ideally onsite* ***if sufficient space is available****, and to the same standard or higher. These spaces are designated G1B on the policies map."* *"(g) Where tree retention is not feasible, any loss of tree canopy cover should be compensated by the planting of new trees to provide additional tree cover (with consideration to the predicted future tree canopy on the site at 30 years following development)* ***or to provide or make a contribution towards the planting of trees nearby*** *to achieve a minimum of no net-loss of tree canopy cover;"* Consideration should also be given to combining Policy G1 with Policy G6. The interactive mapping for the Local Plan should be amended to: - more accurately define the location of green infrastructure features (G1A, G1B and G1C). - provide greater differentiation in colour between core spaces (G1A) and all other green spaces (G1C).

6.3 Policy G3: Provision Of New Green And Blue Features – Urban Greening Factor

Policy or Paragraph Reference	Legally Compliant?	Sound?	If Unsound is it because it is not:	
Policy G3: Provision Of New Green And Blue Features – Urban Greening Factor	Yes	No	Positively Prepared	
			Justified	X
			Effective	X
			Consistent with National Policy	

6.3.1 Policy G3 introduces the Urban Greening Factor which sets out that the development of sites should achieve a minimum score or no reduction in the green factor, calculated from the types of green infrastructure found on site using a formula set out in the appendices of the draft plan.

6.3.2 It is recognised that the provision of new green spaces as part of development proposals is constrained. However, this requirement puts significant pressure on applicants who have limited site areas and who have certain functions that also need to be achieved in those spaces. The use of the policy to prevent the loss of space would essentially sterilise the potential for development which, if allowed, could achieve wider benefits such as the release of general housing back into the market.

6.3.3 It is noted that the Urban Greening Factor works alongside biodiversity net gain but provides a 'simpler' output. It is questioned why this additional layer of calculation is required as where it has been introduced elsewhere (mainly in London) this tends to have been prior to the introduction of the minimum biodiversity net gain requirements in Local Plans.

6.3.4 This policy is not effective and repeats the requirements of Policies G1 and G4 but without the flexibility in Policy G4 to provide off-site mitigation. It is suggested that Policy G3 is deleted.

Suggested Amendment
Delete Policy G3.

7. Local Plan Chapter Five 'A City that Utilises its Resources with Care, Protects the Air, Water, and Soil, and Aims for Net Zero Carbon'

7.1 Use of Resources

7.1.1 ChCh is generally supportive of the policies in Chapter 5 of the LP45, subject to the Council addressing practical concerns about the delivery of Net Zero Buildings in Operation (Policy R1).

7.1.2 ChCh has its own Responsible Ownership Policy for Property (ROPP) that seeks to minimise energy use through its entire property portfolio, including development of its land by third parties. This internal policy overlaps with much that the LP45 is seeking to achieve through the draft policies in Chapter 5.

7.2 Policy R1: Net Zero Buildings In Operation

Policy or Paragraph Reference	Legally Compliant?	Sound?	If Unsound is it because it is not:	
Policy R1: Net Zero Buildings In Operation	Yes	No	Positively Prepared	
			Justified	
			Effective	X
			Consistent with National Policy	

7.2.1 ChCh supports the principle of net zero carbon in operation. However, further consideration needs to be given to the requirement for all energy needs to be met through onsite renewable energy generating technologies in the first instance (Policy R1(e)).

7.2.2 In practice, of the available technologies which could be used to deliver on-site renewable energy (such as Photovoltaic panels, batteries and wind turbines), those which are applicable only work best when they're sized to cover about 30–40% of a site's energy use. This is because available technologies do not perfectly match / align with a site's energy use profile. For example. if those technologies did deliver a higher percentage (i.e. up to 100% of the site's renewable energy generation), most of the energy created would be exported to the grid rather than used on site. This is because their production profile mismatch would exacerbate the more oversized they are, and in many cases, that energy goes to waste because Oxfordshire is experiencing a severe lack of grid capacity, which would be needed to absorb this export.

7.2.3 In addition, although it is technically possible to meet the draft policy requirement, the cost of providing such technologies on site is very expensive and could make some projects financially unviable. Costs are c.£4.5k per house to fit PV on them (i.e. for large scale developments over 100 houses. Oversizing above its ideal size (of 30-40% on site consumption), makes it even more expensive and it will never reach financial payback.

7.2.4 To follow this requirement is also not the most effective way to reduce carbon emissions, which is the ultimate aim of this Policy.

7.2.5 Trying to generate as much energy on site as is consumed is also very difficult to achieve. Attempting to match actual energy use hour by hour, especially in winter is not feasible, even with battery storage. This is because the amount of sun in winter is not enough to cater to the daily needs of a house, and batteries cannot store power summer to winter (they can only store it daily). Having on-site wind is not feasible from a landscape impact perspective.

7.2.6 At Criteria (f) we note that there is reference to offset payments being made (i.e. where net zero carbon cannot be fully delivered). However, no evidence is provided or mechanism given for the calculation of offset payments based on operational energy models. The level of off-setting payment needs to be known to fully understand the implications on the viability of projects and more details on where the funds would be spent should be set out.

7.2.7 To summarise:

- In some cases, it is possible to generate as much energy on site as is used over a year, depending on roof space, land, and how much energy the site uses. But this often leads to a lot of excess energy being sent to the grid, which in Oxford is already congested. That could mean the energy is simply wasted.
- Trying to match energy use exactly with on-site generation is even harder and uneconomical (this would require even more over-sizing) and requires a lot of expensive equipment, which could make developments financially unfeasible.

Suggested Amendment
Policy R1 should be reworded as follows: *"**A minimum of 30% of** ~~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. 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 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 **in accordance with the information and guidance provided in Appendix 5.X**, and this will be secured through an appropriate legal agreement/S106."* An Appendix should be included in the Local Plan to provide the mechanism for the calculation of offset payments based on operational energy models.

8. Local Plan Chapter Six 'A City that Respects its Heritage and Fosters Design of the Highest Quality'

8.1 Policy HD4: Non-Designated Heritage Assets

Policy or Paragraph Reference	Legally Compliant?	Sound?	If Unsound is it because it is not:	
Policy HD4: Non-Designated Heritage Assets	Yes	No	Positively Prepared	
			Justified	
			Effective	
			Consistent with National Policy	X

8.2 Policy HD4 is not consistent with National Policy in the form of the NPPF paragraph 216, which refers to the "*effect of an application on the significance of a non-designated heritage asset … in determining the application*".

8.3 The policy should be amended as below to ensure it is consistent with National Policy:

Suggested Amendment
Amend Policy HD4 to change references to 'local heritage asset' to 'non-designated heritage asset'. Amend third paragraph of Policy HD4 to read: *"In determining whether planning permission should be granted for a development proposal that affects a* ***non-designated*** ~~*local*~~ *heritage asset* ***a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.*** ~~*consideration will be given to the significance of the asset the extent of impact on its significance, as well as the scale of any harm or loss to the asset as balanced against the public benefits*~~*"*

9. Local Plan Chapter Seven 'A Liveable City with Strong Communities and Opportunities'

9.1 ChCh does not have any comments to make on the policies included in Chapter 7 of the draft Local Plan.

9.2 In section 11 of this Response, reference is made to Policies C5 and C7, which are supported by ChCh.

10. Local Plan Chapter Eight 'Infrastructure, Areas of Focus, and Site Allocations'

10.1 Areas of Focus / Site Allocations

10.1.1 ChCh generally supports the proposal to identify several 'Areas of Focus', including the Cowley Branch Line Area of Focus and the West End and Botley Road Area of Focus. In addition, ChCh welcomes the discussions which have taken place with the Council's Planning Officers and ChCh in drawing up the various site allocation policies on land in its ownership.

10.1.2 ChCh notes that the Areas of Focus (AoF) have huge potential to help deliver the housing and economic needs of Oxford, in particular the West End and Botley Road area. However, these responses should be read in conjunction with ChCh's responses to Housing Policies H2 and H3, where ChCh has requested changes to ensure the deliverability of these sites.

10.2 Policy CBLAOF: Cowley Branch Line Area of Focus

Policy or Paragraph Reference	Legally Compliant?	Sound?	If Unsound is it because it is not:	
Policy CBLAOF: Cowley Branch Line Area of Focus	Yes	Yes	Positively Prepared	
			Justified	
			Effective	
			Consistent with National Policy	

10.2.1 ChCh owns existing commercial sites within the Cowley Branch Line AoF. These include the Chiltern Business Centre and Oxford Retail Park.

10.2.2 ChCh supports the re-instatement of passenger train services on the Cowley Branch Line (CBL) and the two new stations, which will improve public transport accessibility to this part of the City (including residential areas, key employment sites and sites allocated for development – both within the City and in adjoining areas within South Oxfordshire District).

10.2.3 ChCh also generally supports the positive approach to new development within this AoF, "*where it would ensure that opportunities are taken to deliver*" the things identified in Policy CBLAOF (i.e. Parts (a) to (o)). This includes delivering 'Supporting active travel and infrastructure delivery', '*High quality design…*', '*Environmental improvements …*' and '*Infrastructure*'.

10.2.4 However, with regard to the 'Infrastructure' requirement at Part (o) of this Policy, as also stated in ChCh's response to Policy S3 (see Section 11 of this Response), ChCh requests clarification being given in the wording of this requirement. This is to ensure that once the CBL and public transport enhancements in the defined 1,500m buffer zone are delivered that no further financial contributions will be sought.

10.2.5 ChCh also requests that further consideration is given by the Council to expand the scope of this Policy. As recognised by the Oxford Growth Commission (OGC) in Annex B of its Interim Report (December 2025), the Oxford CBL 'Opportunity Area' will provide "*Opportunities for transformational growth in this location", "…supported by active travel-led redevelopment for employment, residential,*

open space and community uses". Accordingly, the Policy should be include additional wording to confirm a presumption in favour of redevelopment of sites for a range of uses, including employment, residential-led schemes and retail to enable the AoF to maximise its growth potential.

Suggested Amendment
Amend the wording of part (o) to confirm that once delivered the requirement for financial contributions will fall away. Additional wording should be included in the Policy to confirm a presumption in favour of redeveloping sites for a range of uses, including employment, residential-led schemes and retail.

10.3 Policy WEBRAOF: West End and Botley Road Area of Focus

Policy or Paragraph Reference	**Legally Compliant?**	**Sound?**	**If Unsound is it because it is not:**	
Policy WEBRAOF: West End And Botley Road Area Of Focus	Yes	No	Positively Prepared	
			Justified	
			Effective	X
			Consistent with National Policy	

10.3.1 This area of focus is critically important to the redevelopment and regeneration of this part of Oxford. It has a significant role to play in the local economy and also in the provision of housing. It is one of the key gateways in to Oxford and often the first for those arriving by train. However, it needs significant investment.

10.3.2 The City Council adopted the West End and Osney Mead SPD in 2022. ChCh's sites which are covered by Policy SPCW11 are included in the 'West End' area identified by the SPD. ChCh's sites covered by Policy SPCW2 are identified in an area referred to in the SPD as "*not within the [SPD] site area but with potential to be affected by proposals [in the SPD]*" (SPD, Figure 1).

10.3.3 The Oxford Growth Commission (OGC) identifies an 'Opportunity Area' it refers to as 'Oxford Central / West End' which includes the western part of the City Centre and the Osney Mead area in its Interim Report (December 2025). On Page 8 of its Interim Report, the OGC acknowledges the 'development potential' of this area and "*will look to bring forward and deliver on the aspirations for regeneration … in the west of Oxford*". In Annex B of the OGC's Interim Report, the Oxford Central / West End Opportunity Area is described as presenting "*Opportunities for transformational economic growth and residential development in and near to Oxford City centre*"; and "*Significant opportunities for redevelopment of brownfield sites in a sustainable location close to Oxford City Centre, Oxford Station and existing employment sites*".

10.3.4 Whilst ChCh generally supports the identification of this area of focus it should be extended to include the land to the west of the Oxford station and current station car park as well as the proposed allocation sites covered by Policy SPCW2 – Botley Road Sites around Cripley Road.

10.3.5 This location will play an important part in the overall redevelopment of the area as it is forms a gateway into Oxford once the River is crossed.

Suggested Amendment
Amend the boundary of the Area of Focus to include the land to the west of the Station and west of the current Station Car park up to the River Thames to align with the allocations under policy SPCW2.

10.4 Policy SPCW2: Botley Road Sites around Cripley Road including River Hotel and Westgate Hotel

Policy or Paragraph Reference	Legally Compliant?	Sound?	If Unsound is it because it is not:	
Policy SPCW2: Botley Road Sites around Cripley Road including River Hotel and Westgate Hotel	Yes	Yes	Positively Prepared	
			Justified	
			Effective	
			Consistent with National Policy	

10.4.1 ChCh has been liaising with the City Council to agree the wording of this policy prior to issue of the current LP45 document. As such it supports the allocation of its sites in this allocation policy for residential-led development.

10.4.2 However, in order for this allocation to be realised a revision is needed to the affordable housing policy to only apply to a net gain in dwellings. Without this the redevelopment of the existing housing is unlikely to be feasible.

10.4.3 In addition, ChCh also suggests that this Policy should include greater flexibility by the addition of a reference to student accommodation in the list of 'other suitable uses for the site' (i.e. an equivalent number of rooms to the number of dwellings which could be provided when the relevant ratio is applied).

Suggested Amendment
Amend the following wording in the supporting text: "Other suitable uses for the site could include: • Hotel accommodation; • Replacement retail (Use Class E); • **Student accommodation**" No other amendments sought (subject to confirmation of the changes sought to Housing Policies H2 and H3).

10.5 Policy SPCW4: Faculty of Music

10.5.1 Christ Church are to become the registered owners of this site following the transfer of the property from the University of Oxford in mid-March 2026. Planning permission was approved for the Faculty of Music site on 29 January 2026 under reference 25/01872/FUL. The permission has not yet been implemented.

10.5.2 Following review of the site allocation policy SPCW4: Faculty of Music, some key clarifications and amendments are suggested to more closely align with the aspirations for the site.

Site Boundary

10.5.3 It is noted that the identified redline for the property does not accurately reflect the true boundary of the property. The enclosed existing site plan confirms that the north-eastern boundary should be adjusted to include the full extent of the Music Practice rooms and align with the western bank of the Trill Mill Stream.



Fig 1. Approved existing site plan for the Faculty of Music

10.5.4 Given that the boundary has not been correctly captured in the Local Plan this correction should also be carried forward within the Oxford Local Plan 2045 – Policies Map.

10.5.5 Based on the updated redline, it is also noted that the stated site area is inaccurate, the site area is 0.32ha not 0.33ha referenced on p114.

Flood Zone

10.5.6 Additionally, it is noted on p114 that the site has been identified within Flood Zone 2. The Environment Agency Flood Zone map shows the majority of the site lies within Flood Zone 1 'Low probability' with only a small area of the site within the southeast corner falling within Flood Zone 2. It is considered the flood zone should be updated to reflect the majority of the site and read '**Flood Zone 1**'.

Open space, nature and flood risk

10.5.7 With reference to part b) under 'Open Space, nature and flood risk' the following amendments are suggested:

> *"b) Opportunities should be taken to protect and enhance the watercourse adjoining the site and a 10m buffer should be* ~~***retained***~~ ***considered*** *between the edge of the watercourse and the built development. (Policy G2)"*

10.5.8 The 10m buffer zone has the potential to provide some amenity benefit for its future occupants and, in time, could facilitate improved access to the adjacent Memorial Garden or Christ Church Meadow. Any such access (supported by part j) under movement and access) may require facilitation through appropriate and considered development within the 10m zone. The amendment proposed provides

some flexibility on this matter and maintains alignment with the objectives of Policy G2 Enhancement and Provision of New Green and Blue Features.

Movement and access

10.5.9 In relation part i), it is noted that new residential development should be car free. As an operational site for academic uses, residential and/or student accommodation, it is necessary to make provision for disabled parking and/or provide off road parking for service vehicles accessing the site. Some retained parking areas are necessary to ensure there is both the opportunity to service the site and/or provide spaces for disabled parking. It is suggested that part i) be amended as follows:

> "i) New residential development should be car free, **however provision for disabled parking and essential operational/service vehicle access may be permitted where it is demonstrated to be necessary for the functioning of the academic, residential or student accommodation uses on the site."**

Conclusion

10.5.10 It is noted that the minimum number of dwellings to be delivered via emerging policy SPCW4 is 23. Applying the student rooms ratio this would require a minimum of 57.5 student rooms at the site, which is considered a more realistic and deliverable than the previous allocation.

10.5.11 Christ Church fully supports the allocations aim to increase permeability for walkers, cyclists, and wheelers.

10.5.12 Subject to the amendments set out above, Christ Church considers that policy SPCW4 will provide a sound and deliverable framework for the future redevelopment of the site.

10.6 Policy SPCW11: St Thomas School and Osney Warehouse

Policy or Paragraph Reference	Legally Compliant?	Sound?	If Unsound is it because it is not:	
Policy SPCW11: St Thomas School and Osney Warehouse	Yes	No	Positively Prepared	
			Justified	X
			Effective	
			Consistent with National Policy	

10.6.1 ChCh has discussed the wording for this policy with the City Council prior to issue. As such it supports the general allocation of its sites in this allocation policy for mixed use development. However, the policy refers to retention of community facilities. There are no community facilities currently on site. The units are let on commercial leases, albeit one of the occupiers is a charity. The use class of the properties falls within Use Class E and not that of community facilities.

10.6.2 ChCh therefore considers the current policy is not justified and seeks the following changes to the policy wording to align with the current use of the buildings and avoid any misunderstanding in the future.

Suggested Amendment
Amend the following wording in the supporting text: Current Use(s): St Thomas site is a former school building now in use by ~~various organisations including~~ charities ~~and social enterprises~~.

Osney Warehouse site is in use **by** ~~as~~ visual arts company including studio, exhibition, education spaces **and storage**~~/community uses~~.

Amend the policy as below:

"Planning permission will be granted for **a** mix~~ed~~ **of** use**s including employment and / or residential (market, student or specialist forms)**~~development which should include retention or reprovision of community facilities.~~ The minimum number of dwellings to be delivered on the site is 10 (or, if delivered as student rooms, the equivalent number of rooms when the relevant ratio is applied). Other complementary uses will be considered on their merits.

11. Local Plan Policies that are supported

11.1 ChCh generally supports the following policies, albeit some minor modifications are suggested to clarify elements of the policies and to aid usability:

Policy or Paragraph Reference	Legally Compliant?	Sound?	Comments / Minor Amendments Sought
Policy S2: High Quality Design	Yes	Yes	ChCh supports high quality design in the City. This should be proportionate to the location and setting of the proposed development, and also viability considerations. The Design Checklist at Appendix 1.1 sets out criteria from relevant policies. Should any policies change during the Examination then the checklist will be updated accordingly.
Policy S3: Infrastructure Delivery In New Development	Yes	Yes	The policy requirement for the delivery of necessary infrastructure to address the impacts of any development is supported, subject to delivery on an appropriately phased timescale which will be development specific. ChCh supports the delivery of the Cowley Branch Line (CBL) but requests clarification of the Policy. This is to ensure that once the CBL and public transport enhancements in the defined 1,500m buffer zone are delivered that no further financial contributions will be sought.
Policy H14: Boarding School Accommodation	Yes	Yes	ChCh supports this policy in the context of its own School requirements. The policy should acknowledge that new boarding accommodation can be provided either as a new building or conversion of an existing building, which may be in an alternative use.
Policy E3: Community Employment and Procurement Plans	Yes	Yes	The increase in the size of the floorspace limits from 1,000sqm to 5,000sqm is welcomed as it will not unduly impact upon more modest schemes.
Policy E5: Hotel and Short Stay Accommodation	Yes	Yes	Tourism is important to the economy of Oxford, in particular the City Centre. ChCh is a major tourist destination and as such it is important that tourist and short stay accommodation is provided to support this and maximise the length of time visitors stay in Oxford. As such ChCh supports this policy.
Policy R3: Retro-Fitting Existing Buildings	Yes	Yes	ChCh has a significant number of buildings under its ownership, many of which are historic in nature. ChCh welcomes the positive approach set out in the Policy in terms of retrofitting.

Policy or Paragraph Reference	Legally Compliant?	Sound?	Comments / Minor Amendments Sought
Policy HD1 Principles of High Quality Design	Yes	Yes	ChCh supports high quality design in the City. This should be proportionate to the location and setting of the proposed development, and also viability considerations.
Policy HD2: Making Efficient Use of Land	Yes	Yes	The aims of this Policy are supported, including building at appropriate densities as it is an important component of sustainable development. Making efficient use of any land in the City is a priority.
Policy HD6: Views And Building Heights	Yes	Yes	The requirements of the Policy are supported but the reference to VuCity 3D Modelling software is not appropriate for a Local Plan because it is particular brand of software. This reference should be deleted and the policy simply refer to the use of an appropriate 3D model.
Policy C5: Protection, Alteration and Provision of Cultural and Social Venues, Pubs and Visitor Attractions	Yes	Yes	ChCh supports proposals for enhanced and new visitor and cultural attractions within the City and which will comply with these Policy requirements.
Policy C7: Cycle and Powered Two Wheelers Parking Design Standards	Yes	Yes	The provision of cycle parking is imperative, including the requirement for E-Bikes and charging for those to be considered. This policy reflects the existing Local Plan policy and importantly allows for lower parking standards where this is justified. This is important as the cycle parking standards can result in excessive provision, leading to inefficient use of land, a proliferation of unsightly cycle stands and adverse impact on heritage assets, particularly in the City Centre. The policy sets out a sensible and pragmatic approach to deal with this issue.

Appendix A Westminster City Plan Inspectors Report

The Planning Inspectorate

Report to Westminster City Council

by Luke Fleming BSc (Hons) MRTPI and Kevin Ward BA (Hons) MRTPI

Inspectors appointed by the Secretary of State

Date: 19 March 2021

Planning and Compulsory Purchase Act 2004

(as amended)

Section 20

Report on the Examination of the Westminster City Plan 2019-2040

The Plan was submitted for examination on 19 November 2019

The examination hearings were held between 28 September 2020 and 15 October 2020

File Ref: PINS/X5990/429/9

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Schedule of Main Modifications Appendix

Abbreviations used in this report

CAZ	Central Activities Zone
DPD	Development Plan Document
NPPF	National Planning Policy Framework
PPG	Planning Practice Guidance
SPD	Supplementary Planning Document
WERLSPA	West End Retail and Leisure Special Policy Area

Non-technical summary

This report concludes that the Westminster City Plan 2019-2040 (the City Plan) provides an appropriate basis for the planning of the City, provided that a number of main modifications are made to it. Westminster City Council (the Council) has specifically requested that we recommend any main modifications necessary to enable the City Plan to be adopted.

Following the hearings, the Council prepared a schedule of the proposed main modifications and carried out a sustainability appraisal of them. The main modifications were subject to public consultation over a seven-week period. We have recommended their inclusion in the City Plan after considering the sustainability appraisal and all the representations made in response to consultation on them.

The main modifications can be summarised as follows:

- Amending the housing requirement/target to reflect the London Plan and setting out an updated and realistic housing trajectory and overall approach to housing delivery;
- Deleting references to key development sites;
- Deleting Policy 10 which sought the provision of, or contributions towards, affordable housing from commercial developments;
- Amending a number of policies to reflect the changes to the Use Classes Order that came into effect during the examination;
- Amending the detailed approach to affordable housing, car parking standards and waste to ensure general conformity with the London Plan; and
- A number of other main modifications to ensure that the City Plan is positively prepared, justified, effective and consistent with national policy.

Introduction

1. This report contains our assessment of the City Plan in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the City Plan is in general conformity with the Spatial Development Strategy i.e. the London Plan. It then considers whether the City Plan's preparation has complied with the duty to co-operate, whether the City Plan is compliant with other legal requirements and whether it is sound. Paragraph 35 of the National Planning Policy Framework 2019 (the NPPF) makes it clear that in order to be sound, a local plan should be positively prepared, justified, effective and consistent with national policy.

2. The starting point for the examination is the assumption that the Council has submitted what it considers to be a sound plan. The submitted City Plan of November 2019 (which is the same as the Regulation 19 Publication Draft, June 2019) but incorporating the minor modifications identified in the schedule of modifications (CORE 025 V2) is the basis for the examination.

Main Modifications

3. In accordance with section 20(7C) of the 2004 Act the Council requested that we should recommend any main modifications necessary to rectify matters that make the City Plan unsound and /or not legally compliant and thus incapable of being adopted. Our report explains why the recommended main modifications are necessary. The main modifications are referenced in bold in the report in the form **MM01, MM02** etc, and are set out in full in the Appendix.

4. Following the hearings, the Council prepared a schedule of the proposed main modifications and carried out a sustainability appraisal of them. The main modifications were subject to public consultation over a seven-week period. An error in the detailed wording of main modification **MM41** was included in the schedule. This was rectified and a corrected version was published during the consultation period. We have recommended the inclusion of the main modifications in the City Plan after considering the sustainability appraisal and all the representations made in response to consultation on them.

Policies Map

5. The Council must maintain an adopted policies map which illustrates geographically the application of the policies in the adopted development plan. When submitting the City Plan for examination, the Council was required to provide a submission policies map showing the changes to the adopted policies map that would result from the proposals in the submitted City Plan. In this case, the submission policies map is document CORE 004 (the Submission Draft Policies Map 2019).

6. The policies map is not defined in statute as a development plan document and so we do not have the power to recommend main modifications to it. However, the main modifications relating to the removal of references to key development sites require further corresponding changes to be made to the policies map. In addition, changes to the policies map are needed in respect of the geographic illustration of policies relating to the Central Activities Zone

(CAZ) and the Rapid Inundation Zone to ensure that the relevant policies are effective.

7. These further changes to the policies map were published during the examination (CORE 027 V2 and CORE 026 V2) and were also issued for consultation alongside the schedule of main modifications.

8. When the City Plan is adopted, in order to comply with the legislation and give effect to the City Plan's policies, the Council will need to update the adopted policies map to include all the changes proposed in CORE 004 and the further changes published alongside the schedule of main modifications.

Context of the City Plan

9. Westminster is a densely populated and highly developed urban area within the heart of London. It contains some very affluent residential areas but also some areas of deprivation. Commercial activity is very significant, particularly within the office, retail, tourism and leisure sectors. The economic function of the City is important on a London wide and national basis. There is a very substantial daily influx of workers, shoppers and tourists. Westminster has a rich architectural, archaeological and cultural heritage which contributes significantly to its economic vibrancy. There are 56 Conservation Areas covering 78% of the City's area and over 11,000 listed buildings and structures including the Westminster World Heritage Site.

10. The City Plan will replace the Westminster City Plan 2016 and saved policies from the Unitary Development Plan 2007. It will be followed by the Site Allocations Development Plan Document (DPD). There are currently two "made" Neighbourhood Plans (Knightsbridge and Mayfair).

11. The City Plan has been prepared in the context of the London Plan. To a large extent, strategic decisions regarding the scale, distribution and type of development are taken through the London Plan. The ability of the City Plan to influence the pattern of growth is also affected by the highly developed nature of the area. The majority of development comes forward through the re-use or redevelopment of buildings and sites and there is a significant element of windfall development. Whilst we discuss the issue of key development sites in detail below, the City Plan does not allocate specific sites for development, this will be done through the Site Allocations DPD.

General conformity with the London Plan

12. The City Plan must be in general conformity with the Spatial Development Strategy i.e. the London Plan, under the terms of S24 of the Planning & Compulsory Purchase Act 2004 (as amended). The London Plan 2016, which was in place at the time of the submission of the City Plan and for most of the examination, has now been replaced by the London Plan published in March 2021 (the London Plan).

13. In assessing general conformity, the Mayor of London considered the City Plan in relation to both the existing London Plan 2016 and the then emerging new London Plan. This was a pragmatic and reasonable approach given the circumstances and expectations of progress.

14. The Mayor of London had concluded that the City Plan was not in general conformity with the London Plan in respect of the approach towards affordable housing, car parking standards and waste. The Council has worked closely with the Mayor of London, Transport for London and relevant local authorities to resolve these concerns and they are addressed in statements of common ground. Subject to appropriate main modifications, which we discuss later in the report, the Mayor of London now considers that the City Plan is in general conformity with the London Plan[1].

15. Taking all of this into account and subject to necessary main modifications, the City Plan is in general conformity with the London Plan.

Assessment of the duty to co-operate

16. Section 20(5)(c) of the 2004 Act requires that we consider whether the Council complied with any duty imposed on it by section 33A in respect of the City Plan's preparation.

17. As set out above, the London Plan deals with a range of strategic matters. This includes establishing housing targets for each of the London Boroughs. Given the densely urbanised nature of Westminster and the close physical, visual and functional relationship with neighbouring Boroughs, there are a number of strategic matters which were of relevance during the preparation of the City Plan. These include the approach to the CAZ which extends across several Boroughs, issues relating to transport, flood risk, tall buildings and heritage. The Council has good working relationships with the Greater London Authority, neighbouring London Boroughs and other relevant organisations and has demonstrated close co-operation on these various strategic matters during the preparation of the City Plan. This co-operation has helped to shape the policies in the City Plan.

18. The management of waste raises particular issues for Westminster given that it does not have existing facilities or the capacity to accommodate them. It cannot therefore accommodate its waste apportionment set out in the London Plan. The Council has liaised closely with other authorities to resolve these issues and this work has now culminated in agreements with relevant authorities, including specifically with the London Borough of Bexley to accommodate Westminster's waste apportionment. Although work on providing evidence and reaching formal agreements continued after submission, the Council worked constructively throughout the preparation of the City Plan to resolve this issue.

19. We are satisfied that where necessary the Council has engaged constructively, actively and on an on-going basis in the preparation of the City Plan and that the duty to co-operate has therefore been met.

[1] See WCC 007 - Letter from Greater London Authority confirming general conformity with the published London Plan 2021

Public sector equality duty

20. We have had due regard to the aims expressed in S149(1) of the Equality Act 2010. This has included our consideration of several matters during the examination including housing quality and standards and accommodation for Gypsies and Travellers.

Assessment of other aspects of legal compliance

21. The City Plan has been prepared in accordance with the Council's Local Development Scheme.

22. Consultation on the City Plan and the main modifications was carried out in compliance with the Council's Statement of Community Involvement.

23. The Council carried out a sustainability appraisal of the City Plan as part of the Integrated Impact Assessment, prepared a report of the findings of the appraisal, and published the report along with the City Plan and other submission documents under Regulation 19. The appraisal was updated to assess the main modifications.

24. The Habitats Regulation Assessment Screening Report (June 2019) sets out why an Appropriate Assessment is not necessary.

25. The Development Plan, taken as a whole, includes policies to address the strategic priorities for the development and use of land in the local planning authority's area.

26. The Development Plan, taken as a whole, includes policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change.

27. The City Plan complies with all relevant legal requirements, including in the 2004 Act (as amended) and the 2012 Regulations.

Assessment of soundness

Main Issues

28. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearings, we have identified seven main issues upon which the soundness of the City Plan depends. This report deals with these main issues. It does not respond to every point or issue raised by representors.

Issue 1 – Whether the Spatial Strategy and policies for the Spatial Development Priorities are justified, effective, consistent with national policy and in general conformity with the London Plan.

The Spatial Strategy

29. Policy 1 sets out the overall spatial strategy for Westminster. We deal specifically with the housing target, delivery and affordable housing under Issue 2 and with the economy and employment under Issue 3.

30. Part A of Policy 1 provides a comprehensive and justified set of overarching principles which are consistent with national policy and in general conformity with the London Plan. However, the detailed policy wording lacks sufficient clarity in terms of the approach towards modern architecture, the effect of development on the setting of heritage assets and the approach to climate change. Main modification **MM04** would address this and also ensure that the policy takes a sufficiently positive and flexible approach towards business and commercial growth. It is necessary to ensure that Part A is effective.

31. The CAZ (including the West End), the Opportunity Areas, the Housing Renewal Areas and the North West Economic Development Area are highlighted in Part B of Policy 1 as key areas for the delivery of growth. Given the context and character of the areas concerned and the strategic framework provided by the London Plan, this is a justified approach. Main modification **MM04** would provide necessary clarity on the range of uses envisaged, the broad scale of development in the Opportunity Areas and the Housing Renewal Areas and the fact that some growth could also be accommodated in other parts of Westminster. Again, it is required to ensure that Part B is effective.

32. The boundary of the CAZ in the submitted City Plan included an area to the west of the Paddington Opportunity Area, aligned with the route of Crossrail. This was on the basis that development could come forward in this area that could contribute to the strategic functions of the CAZ. Such sites are now considered undeliverable and the extended boundary of the CAZ in this location is not justified. The Council's post submission changes to the policies map (CORE 027 V2 and CORE 026 V2) show an amended, justified boundary. Main modifications **MM04** and **MM17** are necessary to ensure that Figures 1, 7 and 15 of the City Plan are effective in showing the correct boundary for the CAZ.

33. Part B.5 of Policy 1 refers to key development sites. Appendix 1 of the City Plan provides more information on these sites including an indication of the scale and type of development envisaged. The key development sites were shown on the Submission Draft Policies Map. Following initial questions from

the Inspectors[2] regarding the amount of information on these key development sites and the evidence to support their inclusion, the Council clarified that they were not site allocations within the City Plan. The intention was to identify them as being of strategic importance to the delivery of the City Plan but that they would be allocated where appropriate in the forthcoming Site Allocations DPD.

34. The approach to the key development sites has clearly led to some confusion and in acknowledging this the Council suggested modifications to clarify their status. We are satisfied that it was not the intention to allocate the sites in question in the City Plan and that it will be for the forthcoming Site Allocations DPD to do so if considered appropriate. A wide range of sites were identified and in many cases they are likely to be suitable for a mix of uses and infrastructure improvements. Most of the sites provide opportunities for residential development however and collectively they are likely to make an important and significant contribution to housing supply.

35. There is currently insufficient information and evidence to justify the inclusion of the key development sites as allocations within the City Plan and in any case, it is clearly not the role of the City Plan to allocate specific sites for development[3]. The Development Plan overall takes a positive approach to development and the redevelopment of sites, subject to appropriate detailed policy requirements. Proposals for development on the sites in question could come forward in advance of the Site Allocations DPD and there is nothing to suggest that the Council would not consider them favourably in principle.

36. In order to provide necessary clarity as to the role and status of these sites, main modification **MM04** would delete Part B.5 of Policy 1. For the same reason, main modification **MM49** would delete Appendix 1 and replace it with a housing trajectory. We return to the issue of housing supply and the trajectory under Issue 2.

37. The Council's post submission changes to the policies map (CORE 027 V2 and CORE 026 V2) show the removal of the key development sites. Main modifications **MM05-MM09** are necessary to ensure that Figures 8-13 of the City Plan reflect this. Along with main modifications **MM01, MM03, MM10** and **MM16**, they would also remove various references to the key development sites and the approach to them. Collectively, in relation to the key development sites, the above main modifications are required to ensure that the City Plan is effective.

West End Retail and Leisure Special Policy Area and Tottenham Court Road Opportunity Area

38. The importance of the West End as a focus for commercial activity, particularly in the retail, leisure, tourism and office sectors, is recognised in Policy 2. The West End Retail and Leisure Special Policy Area (WERLSPA) contains the West

[2] See INSP1, INSP2 and INSP3 N.B. Brian Sims was originally appointed to examine the City Plan along with Luke Fleming

[3] As set out in the Local Development Scheme of March 2020 – CORE 023

End International Centre (Oxford Street, Regent Street and Bond Street) and other key locations such as Covent Garden, Soho, Theatreland, Piccadilly Circus, Leicester Square and Trafalgar Square. It also contains part of the Tottenham Court Road Opportunity Area which continues into Camden Borough.

39. The boundaries of the WERLSPA, the West End International Centre and the Tottenham Court Road Opportunity Area are appropriate and justified given the character and context of the areas concerned and the strategic guidance provided by the London Plan.

40. Policy 2 sets out a positive and justified approach to encouraging and managing development and growth, whilst protecting and enhancing the character and environment of the area. It is consistent with national policy and in general conformity with the London Plan. It lacks sufficient clarity however in terms of the greater scale, massing and intensity of development envisaged in the Tottenham Court Road Opportunity Area compared with the more incremental growth anticipated across the rest of the WERLSPA. Main modification **MM05** would address this and is necessary for Policy 2 to be effective.

Paddington and Victoria Opportunity Areas

41. Policies 3 and 4 set out the spatial development priorities for the Paddington Opportunity Area and Victoria Opportunity Area. Paddington has historically been and remains one of Westminster's most significant opportunities for new development due to under-utilised previously developed land and the planned Elizabeth Line connection into Paddington Station. Victoria is a busy transport hub which hosts a variety of businesses, government functions and leisure destinations.

42. Both the Paddington and Victoria Opportunity Area boundaries are defined on the Submission Draft Policies Map and shown on Figures 9 and 10 of the City Plan. These boundaries are justified and appropriate and the City Plan allows for redevelopment opportunities outside of these areas. The Mayor of London has also not raised any issues of conformity regarding the detailed boundaries.

43. However, the London Plan sets out the indicative capacity for new homes and jobs in the Opportunity Areas and requires the City Plan to establish the local capacity for growth having regard to them. Furthermore, as a consequence of main modifications relating to the key development sites, Policies 3 and 4 should recognise the potential of St Mary's Hospital for the Paddington Opportunity Area and Victoria Station for the Victoria Opportunity Area which through their scale and potential will significantly influence the ability to deliver the spatial priorities identified.

44. Main modifications **MM06** and **MM07** would provide additional detail to address these issues and are therefore necessary for effectiveness.

North West Economic Development Area

45. The North West Economic Development Area contains some of Westminster's most deprived areas. Policy 5 establishes a comprehensive and justified set of priorities for regeneration, focussing on increasing economic opportunities,

improving housing choice and quality, enhancing the environment and connectivity and developing social and community infrastructure. These are consistent with national policy and in general conformity with the London Plan. In addition to removing references to key development sites discussed above, main modification **MM08** would provide necessary clarity that developments within the North West Economic Development Area will deliver a mix of uses including housing. It is required for effectiveness.

Church Street/Edgware Road and Ebury Bridge Estate Housing Renewal Areas

46. The Church Street/Edgware Road Housing Renewal Area seeks to provide new high-quality housing and jobs whilst also improving the public realm and increasing publicly accessible open space to address the known deficiency in the area. It also provides the opportunity to enhance the Church Street/Edgware Road District Centre as a hub for retail and services and create a new cultural quarter adjacent to Cockpit Theatre.

47. A masterplan has been developed for the area with input from the local community. A number of schemes are already under construction which can reasonably be expected to deliver over half of the proposed dwellings in the first five years of the plan[4]. The remaining housing sites are owned by the Council and planned to be brought forward as part of its Housing Investment Programme.

48. The renewal of the Ebury Bridge Estate provides an opportunity to increase the number of homes available, improve the quality and energy efficiency of homes, enhance the public realm and develop community and social facilities. The Housing Renewal Area covers the whole of the estate, allowing for a comprehensive, co-ordinated and properly phased approach.

49. Following the consideration of options and close co-operation and consultation with the local community, the proposals for the renewal of the estate have reached an advanced stage with a hybrid planning application being submitted in July 2020 and some demolition work already having taken place. The proposals would see the demolition of all existing blocks on the estate and replacement with approximately 750 new homes. Of these 336 would replace all of the existing homes and the Council is strongly committed to providing the opportunity for existing residents to be re-housed on the estate.

50. The estate is Council owned, the renewal project will be fully funded by the Council and these funds are in place. Phase 1 would see two residential blocks constructed with a total of 226 homes (96 net increase) being delivered from 2023/24 onwards. The remainder of the new homes are expected to be delivered within years 6-10 of the plan period. We consider this to be a realistic timeframe given progress to date and the commitments of the Council.

[4] EV H 013 - Housing Supply Topic Paper Addendum (March 2020)

51. Policy 6, which sets out the approach to both Housing Renewal Areas is therefore justified, effective, consistent with national policy and in general conformity with the London Plan.

Policy 7

52. Policy 7 provides a justified set of principles by which to manage development. They are consistent with national policy and in general conformity with the London Plan. They are sufficiently clear and expressed to provide for adequate flexibility when considering individual proposals. Subject to main modification **MM02**, which would clarify how it should be considered alongside other policies, Policy 7 is also effective.

Conclusion

53. Subject to the main modifications referred to above, the Spatial Strategy and policies for the Spatial Development Priorities are justified, effective, consistent with national policy and in general conformity with the London Plan.

Issue 2 – Whether the City Plan has been positively prepared and whether it is justified, effective, consistent with national policy and in general conformity with the London Plan in relation to housing.

Housing requirement/target

54. Policy 8 of the submitted City Plan sets out a commitment to deliver in excess of 22,222 new homes in the plan period. This was based on the draft new London Plan target proposed at the time of 1,010 homes per year although we note that this would relate to a 22 year period from 2018/19.

55. Policy 8 also refers to housing delivery being stepped up to 1,495 new homes per year over the first 10 years. The starting point for this figure was the London Plan 2016 target of 1,068 homes per year. The Council then applied a 40% cap to an increase on this figure to arrive at 1,495. In doing so the Council referred to the standard method for assessing local housing need.

56. We consider that this approach was not appropriate. Fundamentally, the Planning Practice Guidance (PPG) makes it clear that local planning authorities should use the local housing need figure in the spatial development strategy and should not seek to revisit their local housing need figure when preparing new strategic or non-strategic policies. In this case the London Plan provides the figure for Westminster. In addition, the Council accepted early in the examination that it could not demonstrate a realistic supply of housing to deliver this increased target of 1,495 for the first 10 years. Whilst the ambition of the Council to exceed the London Plan target is laudable, it needs to be based on a realistic assessment of supply and in any case, as submitted, Policy 8 makes insufficient distinction between a housing requirement/target and potential supply.

57. A further point to note is that the London Plan now has a housing target for Westminster of 985 homes per year.

58. Taking all of this into account the Council accepted that Policy 8 should be modified to refer to a target based on the figure in the London Plan (985

homes per year equating to 20,065 new homes over the 21 year period between 2019/20 and 2039/40) and that the reference to a stepping up of housing delivery to 1,495 homes per year should be removed. Main modification **MM10** includes these amendments and is necessary to ensure that Policy 8 is justified, effective and consistent with national policy in this respect. Main modification **MM04** in relation to Policy 1 is necessary for the same reasons.

59. Given the highly urbanised nature of Westminster, the small scale of designated neighbourhood areas and the reliance on windfall development, it is not realistic or appropriate for the City Plan to attempt to set out housing requirements for the designated neighbourhood areas.

Housing supply/delivery

60. Further detailed information and clarification regarding housing supply and delivery was provided during and immediately after the hearings[5].

61. There has not been significant under delivery of housing over the previous three years. The Council is seeking to demonstrate a five-year supply of deliverable sites through the examination of the City Plan and therefore it is appropriate to apply a 10% buffer to the supply in line with Paragraph 73 of the NPPF. Taking the annual requirement of 985 homes and applying this buffer gives a five-year requirement of 5,418 homes.

62. Using 2020/21 as the most appropriate base date given the likely adoption of the City Plan, the Council estimates that the five-year supply is 5,706 homes. Of these, 107 homes were recorded as completed in early 2020/21 and a further 4,551 were on sites with planning permission and under construction. Sites with detailed planning permission but not yet started contribute another 711 homes to the supply. There is no evidence that homes on these sites will not be delivered within five years. An additional 337 homes are identified on sites with planning applications submitted and decisions pending. These are all Council owned sites, identified in the Housing Investment Programme. Good progress has been made and the Council has a clear commitment to bringing them forward for development within five years. Overall, the Council's estimate of supply for the five-year period from 2020/21 is realistic and based on robust evidence. The City Plan will provide for a five-year supply of deliverable housing sites on adoption.

63. The Council estimates that specific developable sites and broad locations will provide for 2,486 homes in years 6-10 (2025/26 to 2029/30) and 2,576 homes in years 11-15 (2030/31 to 2034/35). This is made up of two sites where construction has started but is currently stalled, a number of sites where planning applications have been submitted and decisions are pending and other sites where pre application discussions have taken place or where they are part of the Council's Housing Programme but are at an earlier design stage. It also includes estimates of supply from broad locations where

[5] See documents EV H 025 (Post hearing housing supply note) and EV H 016 V2 (5 year housing land supply 2020-25)

preliminary site selection and capacity modelling has taken place, along with engagement with landowners and site promoters. We are satisfied that the Council's assessment of the supply from specific developable sites and broad locations up to 2034/35 is realistic.

64. Following initial questions from the Inspectors the Council reassessed its estimate of the supply of housing from windfall sites. The Addendum to the Housing Supply Topic Paper of March 2020 (EV H 013) concludes that a windfall allowance of 500 homes per year from year 6 onwards should be included. This comprehensive assessment takes a realistic view of past delivery and the effect of policies and future trends. It provides compelling evidence that windfalls will continue to make a significant and reliable contribution to housing supply at the level anticipated.

65. Given the nature of Westminster and the sites that come forward, the high density of development and the continued reliance on windfalls, it is likely that significantly more than 10% of the housing requirement will be accommodated on sites no larger than 1ha, in line with Paragraph 68 of the NPPF.

66. Bringing this all together, the City Plan will provide for an adequate supply of housing for 15 years from the likely point of adoption. Taking account of actual completions in 2019/20 (992 homes) and the reasonable expectation that delivery between 2035/36 and 2039/2040 will at least match requirements, the estimated supply of housing in the plan period overall is 21,685 homes. This would be sufficient to meet requirements with a degree of flexibility.

67. Main modifications **MM10** and **MM49** would set out an updated and realistic housing trajectory and are necessary to ensure that the City Plan is justified and effective in this respect.

Other aspects of Policy 8

68. Part B of Policy 8 limits the size of new homes to a maximum of 200sqm Gross Internal Area, unless necessary to protect a heritage asset. Land and development sites are a scarce resource in Westminster and given its position in the housing market, there has been some demand for very large properties. In order to ensure that housing needs are met, it is important to make efficient use of land and optimise the potential of sites. The threshold will still allow for generous sized housing to be provided, well above the highest minimum standards in the Nationally Described Space Standards (138sqm for a 3 storey, 6 bedroom property) and above the average size of recently built private houses in Westminster (163sqm between 2013 and 2018). The approach is justified and consistent with national policy in respect of the efficient use of land.

69. Given the need for housing, the limited supply of potential sites and the values involved, Part C of the policy is justified in protecting residential uses, floorspace and land. Main modification **MM10** would introduce necessary clarity regarding the operation and implementation of the policy and the exceptions that would be allowed to better meet the needs for affordable housing and family sized homes. It is required to ensure that the policy is effective.

70. Within the context of the powers available to the Council[6], in order to retain permanent housing stock, Part D of the policy is justified in resisting the change of housing to temporary sleeping accommodation.

Affordable housing – Policy 9

71. The 2019 Housing Needs Analysis estimates that 563 affordable homes are needed each year over the plan period. This significant level of need is not surprising, given the very high average house prices and rental levels and the relationship with incomes.

72. Policy 9 sets out a comprehensive and justified approach which includes a requirement for a minimum of 35% affordable housing on sites of at least 0.5ha, ten or more units or at least 1,000sqm of residential floorspace. In seeking 35% affordable housing, the Council has sought to maximise provision whilst taking a realistic view of the effect on viability. The City Plan Viability Report and the Addendum to it confirm that whilst 35% affordable housing provision is generally viable, increasing the percentage above that starts to undermine the viability of development proposals.

73. As noted above, there is continuing demand for larger properties in Westminster and the average size of private houses recently built is 163sqm. Without including a threshold of 1,000sqm (alongside ten or more units and 0.5ha), significant opportunities to provide for affordable housing would be lost. Taking completions in the previous five years and sites currently under construction or permitted, there are 86 sites which provide at least 1,000sqm of residential floorspace but less than ten units. These sites have provided or will provide approximately £37m of funds for affordable housing and eight units on site. Policy H4 (footnote 50) of the London Plan provides scope for minor housing development (i.e. below 10 units) to make affordable housing contributions. Given these particular circumstances in Westminster, it is justified to apply the threshold of 1,000sqm.

74. Parts C and D of Policy 9 provide for some flexibility in terms of off-site provision or financial contributions but prioritise on-site provision in line with national policy.

75. The Mayor of London raised issues of general conformity with Policy 9, specifically in relation to the lack of references to the strategic London wide affordable housing target of 50% and the threshold approach to viability. These concerns have been resolved through the statement of common ground with the Mayor of London. Main modification **MM11** satisfactorily addresses the issues of general conformity with the London Plan in these respects. It is also required to ensure that the policy is effective in providing sufficient clarity regarding the approach towards the redevelopment of existing affordable housing and the overall implementation of the policy.

[6] Since 2015 planning permission has not been required to short term let a home in London for less than 90 nights in a calendar year

Affordable housing contributions in the CAZ – Policy 10

76. The benefits of mixed use developments in the CAZ have long been recognised in Westminster's adopted development plan policies. The Westminster City Plan 2016 includes Policy S1 which requires, in certain circumstances, residential floorspace to be provided (on-site or off-site), mixed use credits or payments in lieu in association with office developments. Policy S1 would result in the requirement for an element of affordable housing to be provided as part of the overall housing provision if relevant thresholds were triggered. It would also facilitate payments in lieu to the affordable housing fund if other options to provide residential floorspace were not appropriate or practicable. Policy S1 is a lengthy and complicated policy and the Council accepts that there have been issues in interpreting and implementing it. The Council also acknowledges that it has not been effective in incentivising growth in office floorspace or delivering affordable housing in the CAZ. Paragraph 10.4 of the submitted City Plan states that Policy S1 is not fit for purpose.

77. Policy 10 of the submitted City Plan would specifically require office and hotel developments involving a net increase in floorspace within the CAZ to provide affordable housing on-site or make financial contributions to off-site provision. It is intended that this would supersede Policy S1 and would mark a shift away from the more general approach to mixed residential and office development.

78. During the examination the Council recognised concerns from the property and development sector over the implications of the proposed Policy 10 for commercial growth and the viability of development. In addition, and perhaps more fundamentally, the Council acknowledged that the changes to the Use Classes Order which came into force on 1 September 2020 meant that the proposed approach in Policy 10 could not be put into practice effectively, given the much wider range of uses in the new Class E. This wider range of uses had not been subject to viability assessment in respect of the requirements of Policy 10. In light of this the Council suggested a completely revised version of Policy 10 prior to the hearings.

79. This suggested revised policy would simplify the approach and seek financial contributions from all commercial development delivering 1,000sqm or more net additional floorspace within the CAZ. These contributions would take the form of a standard tariff with contributions being made to the City-wide Affordable Housing Fund. Following further viability assessment, the Council confirmed the intention to apply a tariff of £250 per sqm in the Core Zone and £450 per sqm in the Prime Zone which correspond to those zones in the adopted Community Infrastructure Levy Charging Schedule.

80. The NPPF and PPG only refer to affordable housing provision or contributions being sought from residential developments that are major developments. There is no mention of such provision or contributions being sought from commercial development or indeed any other form of non residential development. Likewise, there is no reference in the London Plan to seeking affordable housing provision or contributions from purely commercial development. Policy H4 of the London Plan refers to "major developments which trigger affordable housing requirements" and this is defined in footnote 50 as major development of 10 or more units. The footnote goes on to explain

that minor housing development may also be required to make affordable housing contributions.

81. We note the approach taken in the City of London where paragraph 3.4.6 of the adopted City of London Local Plan (2015) and the Supplementary Planning Document (SPD) on Planning Obligations (2014) make reference to contributions towards affordable housing being sought from both commercial and residential development. The SPD states that a contribution of £20 per sqm will be sought, above a threshold of a net increase of at least 500sqm in gross internal area. The emerging new City of London Local Plan seeks to continue this approach although this is still at an early stage and the proposed submission version has not yet been published for consultation.

82. Policy H2 of the Camden Local Plan (2017) seeks to facilitate housing as part of mixed use development. Under such circumstances there would be a consequential requirement for a proportion of affordable housing. This appears to be a different approach to that set out in Policy 10 of the City Plan (both submitted and suggested revised versions).

83. These documents relating to other authorities were adopted before the current iterations of national policy and planning guidance and the London Plan. They were also adopted before the significant changes to the Use Classes Order referred to above came into force and clearly do not take account of the effect of this and the implications for viability.

84. The key objective of the submitted Policy 10 was to secure the provision of affordable housing within the CAZ, preferably on-site as part of a mixed development. The CAZ is a major source of jobs within Westminster and it is likely that a significant proportion of those working in the CAZ will be on relatively low incomes and in need of affordable housing. However, we have not been presented with any specific, convincing evidence that the economic function of the CAZ is being hampered by a shortage of affordable housing within the CAZ itself. The CAZ and Westminster generally is a densely built up area which is served by a very good public transport network providing accessibility to a range of other residential areas.

85. In any case, the suggested revised version of Policy 10 would simply require financial contributions to the City-wide Affordable Housing Fund. It would not achieve the key objective of the submitted Policy 10.

86. The policy approach would need to be implemented through planning obligations. We consider that the proposed approach would not meet the tests for such obligations. Commercial development is broadly appropriate in principle in the CAZ. It would not need to provide or make a financial contribution towards affordable housing to be acceptable in planning terms. The payment of financial contributions to the City-wide Affordable Housing Fund, with no guarantee that those funds would be spent in close proximity to the site or even within the CAZ, brings into question the direct relationship of the obligations to the development. The suggested standard tariff based approach and the figures arrived at are not related to the actual costs of delivering affordable housing. They would be generic tariffs at the same rate for all commercial development, despite the evidence pointing to clear differences in viability between different types of commercial uses. There is

insufficient basis to conclude that the tariffs applied would be fairly and reasonably related in scale and kind to the development.

87. We appreciate that significant sums of money have been collected as payments in lieu towards affordable housing as a result of Policy S1 of the Westminster City Plan 2016 (approximately £34m since 2016). We also acknowledge that if the suggested revised version of Policy 10 were adopted, it is likely that significant funds towards affordable housing in Westminster would be generated over the plan period. However attractive that proposition may be, the fact that a policy will generate substantial financial contributions is not in itself a reason to include it in a development plan.

88. Given all of the above, the proposed policy approach, both in terms of the submitted and suggested revised versions of Policy 10, is not justified. Main modification **MM12** is therefore required to delete Policy 10 and ensure that the City Plan is justified in this respect. Whilst we note that the Mayor of London expressed disappointment with the deletion of Policy 10 in response to the consultation on the proposed main modifications, his overall conclusion is that the main modifications bring the City Plan into general conformity with the London Plan.

Housing for specific groups – Policy 11

89. Policy 11 sets out a comprehensive and justified approach towards housing for specific groups. Main modification **MM13** would clarify that the reference to 25% of all homes being family sized is a strategic, City-wide target. It would also provide necessary clarity and flexibility in relation to the approach towards specialist housing and purpose built student accommodation.

90. In terms of Gypsy and Travellers' accommodation needs, it is the Mayor of London's intention to undertake an updated London wide assessment. In the meantime Policy H14 of the London Plan requires Boroughs to base their approach on the existing needs assessment. In the case of Westminster this indicates no need for pitches. Given this, a criteria based approach as set out in Part J of Policy 11 is justified, although main modification **MM13** would provide necessary clarity as to how the criteria will be applied. This main modification is required to ensure that Policy 11 is effective therefore.

Innovative housing delivery – Policy 12

91. A positive and justified approach to innovative forms of housing delivery is set out in Policy 12. Main modification **MM14** is required to provide sufficient clarity and ensure that the policy is effective.

Housing quality – Policy 13

92. Policy 13 is justified in requiring residential development to provide a good quality living environment to appropriate standards in line with the London Plan and national policy. However, Part D of the policy lacks sufficient clarity in relation to the approach towards alternative solutions where the provision of sufficient private external amenity space is not achievable. Main modification **MM15** would address this concern and also ensure that the broader implementation of the policy is sufficiently clear. It is required for the policy to be effective.

Conclusion

93. Subject to the main modifications referred to above, the City Plan has been positively prepared, it is justified, effective, consistent with national policy and in general conformity with the London Plan in relation to housing.

Issue 3 – Whether the City Plan has been positively prepared and whether it is justified, effective, consistent with national policy and in general conformity with the London Plan in relation to the economy and employment.

94. Policy 14 provides a justified and positive approach towards economic growth which recognises the particular importance of the office sector. Main modification **MM16** is necessary to reflect the recent changes to the Use Classes Order, to recognise that some parts of the CAZ are predominantly residential in character and to provide adequate flexibility for changes of use. It is required for the policy to be effective.

95. A comprehensive and justified approach towards main town centre uses and the town centre hierarchy is set out in Policy 15. The recent changes to the Use Classes Order have had a significant effect on the implementation of the policy however and main modification **MM17** is required to reflect this. This main modification is also required to provide sufficient clarity on the detailed policy approach, including in different parts of the town centre hierarchy. It is necessary to ensure that Policy 15 is effective.

96. The visitor economy is of great significance to Westminster and Policy 16 provides a justified and sufficiently flexible approach to arts and cultural uses and hotels and conference facilities. Main modification **MM18** would provide necessary clarity in terms of the implementation of the policy and is required for effectiveness.

97. Policy 17 sets out a justified approach towards food, drink and entertainment uses which seeks to ensure that such uses are appropriate to their location, protect residential amenity and avoid harm to the vitality and character of the local area. Policy E9 of the London Plan establishes the principle that hot food takeaways should not be permitted within 400m of a primary or secondary school whilst giving Boroughs the opportunity to establish locally determined alternative distances. Given the high density of schools in Westminster, the 400m distance would be unduly onerous and Part C of Policy 17 is justified in reducing this to 200m. Main modification **MM19** would provide necessary clarity as to the implementation of the policy, including regarding the use of premises and outdoor spaces for shisha smoking given the particular concerns in relation to health impacts and residential amenity and the fact that it is not a licensable activity. It would also introduce necessary flexibility to allow for the potential change of use of ancillary space associated with public houses under certain circumstances. This main modification is required to ensure that the policy is effective.

98. Policies 18, 19 and 20 provide a positive and justified approach towards community infrastructure and facilities, education and skills and digital infrastructure, information and communications technology respectively. Subject to main modification **MM20**, which would provide necessary clarity

and flexibility in relation to the approach towards purpose built student accommodation in Policy 19, they are also effective.

99. The City Plan identifies Special Policy Areas for Soho (Policy 21), Mayfair and St James's (Policy 22), Harley Street (Policy 23) and Savile Row (Policy 24). Each of these areas has a particular concentration of specialised uses which forms an important part of their character. Policies 21 to 24 set out a positive and justified approach to these areas which seeks to ensure that new development respects and enhances their character and function. Main modifications **MM21**, **MM22**, **MM23** and **MM24** would provide necessary clarity as to the implementation of the policies and reflect the recent changes to the Use Classes Order. They are required for effectiveness.

Conclusion

100. Subject to the main modifications referred to above, the City Plan has been positively prepared, it is justified, effective, consistent with national policy and in general conformity with the London Plan in relation to the economy and employment.

Issue 4 – Whether the City Plan is justified, effective, consistent with national policy and in general conformity with the London Plan in relation to connections.

Parking

101. Policy T6 of the London Plan states that car-free development should be the starting point for all development in places that are (or planned to be) well-connected by public transport. The Council's approach to parking and associated standards are set out in Policy 28 and Appendix 2. The standards for residential development are consistent with those in Table 10.3 of the London Plan except for parts of the City identified as zones B and F where 0.4 parking spaces per residential unit would be permitted.

102. Westminster has exceptionally high levels of accessibility. It is served by four mainline rail stations, all London Underground Lines except the Waterloo and City Line and is well served by buses. It therefore has excellent public transport connections into which further significant investment is planned over the plan period including the Elizabeth Line.

103. Zones B and F cover roughly half of the City and include areas which are very well connected to public transport. Policy 28 and Appendix 2 would therefore allow more parking to be provided than the London Plan permits. It would therefore encourage car ownership and use in locations which are well connected by public transport, contrary to the car-free approach to development in the London Plan.

104. The majority of Westminster is covered by a controlled parking zone. As at July 2020 there were 30,602 active on-street residential permits with some

30,837 total available resident and shared-use parking bays[7]. In contrast with other London Boroughs it is the Council's policy to issue an on-street resident permit to any resident who lives within a controlled parking zone provided they satisfy basic criteria. Therefore, over the plan period as more parking permits are issued the demand for on-street parking spaces is likely to significantly exceed the supply. This could have negative consequences for highway safety and the environment.

105. The Council recognise this and the need to keep under review its approach to issuing parking permits. They also accept the need to monitor the effects of parking stress and mitigate any adverse effects through measures which may include (but not limited to) lifetime car club membership for all future residential occupiers and increased cycle parking within the development site.

106. Main modifications **MM28** and **MM50** would bring Policy 28 into line with the London Plan and recognise the need to monitor and mitigate any adverse effects associated with parking stress. They are therefore necessary to ensure Policy 28 is justified, effective and in general conformity with the London Plan.

Sustainable transport

107. Policies 25, 26 and 27 seek to promote sustainable transport and require major development to financially contribute towards such. However, for them to be effective and consistent with national policy main modifications are necessary to ensure they refer to all types of sustainable transport infrastructure and make clear contributions are only necessary to mitigate the impacts of the development. Even though transport and public realm improvements are covered by the Council's Community Infrastructure Levy the delivery of site specific transport or public realm mitigation necessary to make any development acceptable would not be prejudiced by these modifications.

108. Policy 26 refers to a requirement for cycle facilities specified in Appendix 2. These are justified, but, Appendix 2 is recommended to be deleted through main modification **MM50.** A main modification is therefore necessary to specify the cycle facilities requirements in the reasoned justification for Policy 26.

109. Main modifications **MM25, MM26** and **MM27** are therefore necessary to ensure Policies 25, 26 and 27 are consistent with national policy and effective.

110. Policy 29 recognises competing demands on highway space and ensures its effective use and access. However, main modification **MM29** is required for effectiveness to clarify new accesses shall be considered in the context of all aspects of the highway not just kerb space and some loss of highway may be justified where beneficial.

111. Policies 30 and 31 set out justified principles for managing freight and servicing associated with new development and technological innovation in transport. They are consistent with national policy and in general conformity

[7] Post Hearing Note on Parking Permits (October 2020) EV C 009

with the London Plan. However, main modification **MM30** is required to Policy 31 to remove reference to an emerging electric vehicle strategy for effectiveness.

Waterways

112. Reflecting the statement of common ground between the Council, the Environment Agency and Thames Water a main modification to Policy 32 is necessary to ensure the Council's approach to waterways and waterbodies reflects the approach to biodiversity enhancement in the NPPF and ensures new moorings on the Thames do not compromise the flood defences. Main modification **MM31** is therefore needed for effectiveness and to ensure consistency with national policy.

Conclusion

113. Taking into account the above, we conclude that, subject to the main modifications referred to above, the policies relating to connections are justified, effective, consistent with national policy and in general conformity with the London Plan.

Issue 5 – Whether the City Plan is justified, effective, consistent with national policy and in general conformity with the London Plan in relation to the environment.

Air quality

114. The whole of Westminster is designated as an Air Quality Management Area. Policy 33 sets out the Council's approach to air quality and requires air quality positive status to be achieved for new development in the opportunity areas and housing renewal areas and a requirement for other major development to be air quality neutral elsewhere. Furthermore, it sets out when detailed air quality assessments will be required. These requirements are consistent with paragraph 154 of the NPPF.

115. However, air quality positive status may not be possible in all instances and reference specifically to solid biomass is counterintuitive to achieving air quality neutral development. The justification should also reference the most relevant and up to date strategies and guidance and the Council's commitment to produce updated guidance on the issue. Main modification **MM32** is therefore required for justification and effectiveness.

Local Environmental Impact, Green Infrastructure and Flooding

116. Policy 34 sets out principles for managing the local environmental impacts of new development which are justified, consistent with national policy and in general conformity with the London Plan. However, main modification **MM33** is required for effectiveness to ensure the health and wellbeing of both current and future occupiers are not adversely affected.

117. The Council's approach to green infrastructure is set out in Policy 35. It aims to protect and enhance green infrastructure and in light of known deficiencies in green and open space it justifiably seeks to protect and increase provision where possible. It also says trees of amenity value will be protected and tree

planting will be encouraged. Overall, it sets out a proportionate approach to protecting and enhancing green infrastructure in Westminster.

118. However, main modification **MM34** is needed to ensure Policy 35 and its justification, including Figure 28 are accurate, effective and consistent with national policy with regard to biodiversity net gain, public and private open space and how development involving Metropolitan Open Land will be considered.

119. Policy 36 sets out a robust and proportionate approach to managing flood risk associated with new development. However, as set out in the statement of common ground between the Council, the Environment Agency and Thames Water a main modification is required which ensures current and future flood defences are not adversely impacted upon by new development and to manage local capacity issues and avoid associated adverse effects. Policy 36 should also require the occupancy of new development to be phased and aligned with any required off-site upgrades to the water or sewerage network to avoid issues associated with network capacity. Furthermore, a more up to date rapid inundation zone is available than that shown on Figure 30. Main modification **MM35** would address these issues and is therefore necessary for effectiveness.

Energy

120. Since the submission of the City Plan the Council has declared a climate change emergency, committing to becoming a zero carbon city by 2040.This is broadly reflected in the Council's approach to energy set out in Policy 37. However, becoming zero carbon by 2040 requires all new major development to be net zero carbon unless such is proven to be unviable. Main modification **MM36** is therefore necessary to make this clear as well as provide more detailed explanation of what is expected from developers in demonstrating net zero carbon or that achieving it is unviable and if so, how carbon off-setting will be assessed and secured. Main modification **MM36** would add this detail and is therefore necessary for justification and effectiveness.

Waste management

121. The Council is required to plan and manage its waste apportionment identified in the London Plan. Evidence shows limited existing capacity and potential capacity in Westminster to meet the apportionment over the plan period and an overall predicted decline in landfill space. National policy[8] states that there is no expectation that each local planning authority should deal solely with its own waste to meet the requirements of self-sufficiency and proximity. Furthermore, there are often economies of scale in local authorities working together to make efficient use of available waste management capacity. The majority of Westminster's waste is already managed outside of the City and statements of common ground demonstrate these agreements can continue whilst capacity exists. The Council has agreed with the London Borough of

[8] Waste Planning Policy Guidance - Paragraph: 007 Reference ID: 28-007-20141016

Bexley[9] that it will take sole responsibility for meeting the Council's waste apportionment where there is known landfill space capacity.

122. A main modification to Policy 38 is necessary to fully reflect this position, explain how the apportionment target will be managed and clarify expectations for new development. Main modification **MM37** would achieve this and is therefore necessary for justification, effectiveness, to ensure consistency with national policy and general conformity with the London Plan.

Conclusion

123. Taking into account the above, we conclude that, subject to the main modifications referred to above, the policies relating to the environment are justified, effective, consistent with national policy and in general conformity with the London Plan.

Issue 6 – Whether the City Plan is positively prepared, justified, effective, consistent with national policy and in general conformity with the London Plan in relation to design and heritage.

Design

124. Policy 39 sets out overarching principles for good design which are consistent with the considerations in paragraph 127 of the NPPF. However, Westminster is a location which is classified as seriously water stressed and a requirement for water efficiency for residential development to meet the optional efficiency target set out in the London Plan is justified and should be referenced. Main modification **MM38** addresses this and is therefore necessary for effectiveness.

Heritage

125. The preservation and enhancement of Westminster's historic environment is implicit in the City Plan's overarching vision and objectives. Policy 40 sets out detailed criteria to be applied to proposals which impact on heritage assets including Westminster's World Heritage Site, conservation areas, listed buildings, archaeology, registered historic parks and gardens and non-designated heritage assets. Policy 40 would be applied to proposals alongside other policies of the City Plan, particularly Policy 39 which requires, among other things, for proposals to have regard to the character and appearance of an area, there is no need for it to duplicate those requirements.

126. However, whilst generally consistent with national policy and the statutory duties, some of the detailed criteria require amendment to make it effective and consistent with national policy and legislation. Particularly, clause B should make reference to climate change. Clauses D and E should be more closely aligned with the evidence base for the World Heritage Site as well as recognise

[9] See SCG 009

the Council's commitment to lead the production and review of an updated World Heritage Site Management Plan.

127. Clause Q should make clear it relates to registered historic parks and gardens to reflect the statutory duties and national policy and also to avoid confusion and duplication with Clause R relating to non-designated heritage assets which includes reference to open spaces of interest.

128. Main modification **MM39** addresses these issues and is therefore necessary for effectiveness and to ensure consistency with national policy.

Townscape and Architecture

129. Policy 41 sets out detailed design guidance on townscape and architecture including extensive development, alterations and extensions and views. The density of existing development and the pressure for new development in Westminster mean extensions to existing buildings will inevitably have a significant role to play in meeting the growth targets in the City Plan.

130. A significant amount of Westminster's building stock is Georgian and early Victorian housing laid out in terraces historically with consistently detailed roofscapes[10]. These types of buildings are particularly sensitive to roof extensions. The requirement for a coordinated approach to roof extensions to rooflines which are unimpaired by roof extensions is therefore justified.

131. However, whilst the policy positively supports roof extensions it is currently unclear where and is unnecessarily restrictive in terms of use and the number of residential units permissible. Main modification **MM40** addresses these issues and is therefore necessary to make Policy 41 effective.

Tall Buildings

132. Policy D9 of the London Plan requires the City Plan to define what is considered to be a tall building for specific localities and say where new tall buildings may be appropriate.

133. Informed by a detailed and comprehensive Building Height Study (EV DH 004), Policy 42 sets out the Council's approach to tall buildings and states tall buildings may be appropriate in the Opportunity Areas, Housing Renewal Areas and at the Marylebone/Edgware Road junction. These areas are clearly defined in the City Plan and we consider they are soundly based localities where the Council considers new tall buildings may be appropriate.

134. Clause E sets out locational principles for the areas where new tall buildings may be appropriate in Westminster. Drawing on the Building Height Study it gives a prevailing context height for each locality and says buildings of 2 to 3 times this context may be appropriate. This is not a height limit and proposals for tall buildings would be assessed against the general principles for tall buildings set out in Policy 42 as well as other policies in the City Plan where

[10] Roof Extension Topic Paper (November 2019) EV DH 002

applicable such as those relating to design and heritage. The Council's forthcoming Site Allocations DPD will also provide more detailed site specific guidance on building height where necessary. Overall, we find the Council's approach in this regard is in general conformity with the London Plan, justified by proportionate evidence and would be effective.

135. However, the Council's overall definition of a tall building is more than 30 metres or those which are more than twice the prevailing context height (whichever is the lower). The Building Height Study is primarily aimed at informing the City Plan policies and any proposals for tall buildings will need to include detailed contextual analysis. The reference to 30 metres could be interpreted as a height limit and may not be appropriate in every context and is not therefore effective or justified.

136. Policy 42 also says Westminster is not generally suitable for tall buildings. This is not positively prepared and contradicts the evidence which says there is potential for tall buildings in the locations specified. Furthermore, even though the Building Height Study notes the proposed Merchant Square development provides the highest point in the Paddington Basin there is no justification for requiring any tall building in the Paddington Opportunity Area to step down from the central local/high point at One Merchant Square.

137. Policy 43 should reference the Housing Renewal Areas by their full names consistent with those used elsewhere in the City Plan. It should also be modified to take account of the main modifications necessary to Policy 42.

138. Main modifications **MM41 and MM42** would address these issues and are therefore needed to ensure Policies 42 and 43 are justified and effective.

Conclusion

139. Taking into account the above, we conclude that, subject to the main modifications referred to above, the policies relating to design and heritage are positively prepared, justified, effective, consistent with national policy and in general conformity with the London Plan.

Issue 7 – Whether the City Plan is justified, effective, consistent with national policy and in general conformity with the London Plan in relation to infrastructure, implementation and monitoring.

140. The Council's viability assessment robustly demonstrates the cumulative impact of the policies in the City Plan will not compromise development viability. The Infrastructure Delivery Plan sets out a range projects which can reasonably be expected to be delivered when envisaged to support the delivery of the development proposed in the City Plan.

141. The Implementation and Monitoring section of the City Plan explains a range of measures to assist implementation. Land swaps have been a useful tool in recent years reflecting the pressure for land and the Implementation and Monitoring section makes clear land swaps will continue to be used where appropriate. The Council have also historically operated a system of mixed use credits through Policy S1 of the City Plan 2016. The credits already registered under Policy S1 will continue to be used to offset the affordable housing requirements of Policy 9 in the CAZ. However, main modifications **MM43** and

MM44 are needed for effectiveness, particularly to specify the circumstances within which land swaps will be considered appropriate and the transitional arrangements for mixed use credits.

142. A main modification is also needed to reference and explain the circumstances in which early delivery of off-site affordable housing can count towards future affordable housing requirements in accordance with Policy 9 and paragraph 9.13 of the City Plan, as a measure to assist implementation. Main modification **MM45** achieves this and is therefore needed for effectiveness.

143. The effectiveness of the policies will be monitored against a range of key performance indicators detailed in the Council's Monitoring Framework. However, those indicators need to be adjusted to reflect the other main modifications and to more clearly explain the need to keep the City Plan under review and what actions will be taken if policies are not being implemented as envisaged. Main modifications **MM46, MM47** and **MM48** achieve this and are therefore needed to ensure effectiveness.

Conclusion

144. Taking into account the above, we conclude that, subject to the main modifications referred to above, the approach to infrastructure, implementation and monitoring is justified, effective, consistent with national policy and in general conformity with the London Plan.

Overall conclusion and recommendation

145. The City Plan has a number of deficiencies in respect of soundness for the reasons set out above, which mean that we recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explained in the main issues set out above.

146. The Council has requested that we recommend main modifications to make the City Plan sound and capable of adoption. We conclude that the duty to co-operate has been met and that with the recommended main modifications set out in the Appendix the Westminster City Plan 2019-2040 satisfies the requirements referred to in Section 20(5)(a) of the 2004 Act and is sound.

147. We conclude that if adopted promptly (with the recommended main modifications) the City Plan establishes a five-year supply of deliverable housing sites. Accordingly, we recommend that in these circumstances the Council will be able to confirm that a five-year housing land supply has been demonstrated in a recently adopted plan in accordance with paragraph 74 and footnote 38 of the NPPF.

Luke Fleming and Kevin Ward

Inspectors

This report is accompanied by an Appendix containing the Main Modifications.

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