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By email: kmakant@makantprogrammeservices.co.uk

Dear Inspectors,

Examination of the Oxford Local Plan 2045: Matters, Issues and Questions for Stage 2 - Nuffield College (Respondent ID: 134)

CBRE is instructed by Nuffield College (**Respondent ID: 134**) to prepare responses relevant to Stage 2 Matters, Issues and Questions pertinent to their land interest at the 'Nuffield Sites' (emerging site allocation policy SPCW7: Nuffield Sites). The Nuffield Sites comprise the Island site, the Worcester Street car park site and the South Frideswide Square /Becket Street site, located within the West End and Botley Road Area of Focus.

Responses are provided below to key questions in the following Matters:

- Matter 3 – Design and Heritage;
- Matter 4 – Employment and Economic Development;
- Matter 5 - Site Allocations;
- Matter 7 –Type and Mix of Housing;
- Matter 9 – Local Services and Facilities; and
- Matter 11 – Infrastructure and Viability.

We would welcome confirmation of receipt of this response. As confirmed, CBRE on behalf of Nuffield College wish to attend the Site Allocations Hearing Session for the Nuffield Sites.

Yours Sincerely,

Kiran Ubbi
DIRECTOR
CBRE LIMITED ON BEHALF OF NUFFIELD COLLEGE

Examination of the Oxford Local Plan 2045: Matters, Issues and Questions for Stage 2 - Nuffield College (Respondent ID: 134)

Matter 3 – Design and Heritage

Issue 3 – Heritage Assets and Archaeology – Policies HD3, HD4 and HD5

Q2 – Are Policies HD3, HD4 and HD5 positively prepared, justified, effective and consistent with national policy?

Draft Policy HD3 states that *'substantial harm to or loss of significance of a conservation area should be wholly exceptional'*. It goes on to state that *'where a proposed development will lead to substantial harm to or loss of the significance of a conservation area, planning permission or listed building consent will only be granted if all of the criteria in paragraph '214' (or equivalent in any update) of the NPPF (National Planning Policy Framework) can be demonstrated or unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, which should be set out in the heritage assessment.'*

It is considered that the word *'wholly'* should be removed from the policy drafting as this is not consistent with the wording of paragraph 214 of the NPPF.

This revision has been suggested throughout our Regulation 18 and 19 representations and is required in order to be consistent with national policy.

Issue 2 – Density, Views and Building Heights – Policies HD2 and HD6

Q5 – Are the requirements set out in policies HD2 and HD6 justified, consistent with national planning policy and based on robust, up to date evidence? Have these requirements been adequately tested to ensure that they are viable and deliverable?

Emerging Policy HD6 states *'Planning permission will not be granted for development that will not retain the special significance of views of the historic skyline, both from within Oxford and from outside'*. It also states *'Planning permission will not be granted for development proposed within a View Cone or the setting of a View Cone if it would harm the special significance of the view. The View Cones and the Historic Core Area (1,200m radius of Carfax tower) are defined on the Policies Map'*.

It should be made clear within the policy that a view is not itself a heritage asset and does not have significance in the same way a heritage asset does, as defined in the NPPF. It is considered that replacing 'special significance' in the first and sixth paragraphs of the policy with 'important characteristics' would appropriately respond to the guidance set out in GLVIA 3rd edition. This would bring some consistency with the Framework.

It is also considered that 'limited in bulk and must be' should be removed from the following sentence *'Development above this height must be limited in bulk and must be of the highest design quality'*. The meaning of these words can be overly interpreted and it is considered unhelpful to include within the policy. Removal of the words does not dilute the intention of the policy due to the supporting explanatory paragraphs and text which sit alongside Policy HD6.

The above suggestions were noted within our Regulation 18 and 19 representations and are required in order for the emerging Policy to be considered justified and consistent with national policy.

Matter 4 – Employment and Economic Development

Issue 2 – Affordable Workspace – Policy E4

Q2 – What is the justification for requiring an 'affordable workspace strategy' and is it supported by the viability evidence which underpins the Plan?

The definition of affordable workspace states that such space is to be available for rent set at an agreed rate below the commercial rent. It is understood, based on the current drafting of the Local Plan that the percentage reduction below the commercial rent is not defined and is to be agreed with OCC as part of the planning process. Our understanding is that any commercial rent reduction will need to be based on the ability of any scheme, i.e. in this case Nuffield Sites, to present a proposal that is capable of being financially deliverable and therefore able to absorb such costs as part of any viable scheme. Provision of affordable workspace can have a significant impact on deliverability and is a core and fundamental consideration in terms of development feasibility and deliverability.

The cumulative impact of all of the combined policies that would apply to landowners / developers such as Nuffield College who are seeking to bring forward major and large scale employment generating proposals to the City must be recognised. As stated, when all draft policies are combined, it makes for a highly challenging position to enable deliverable development to come forward. Whilst the NPPF seeks for Plans to be aspirational, it also seeks for them to be prepared positively, in a way that they are deliverable. It is considered that this balance has not yet been struck when considering the draft Plan as a whole, and whilst the requirement for affordable workspace is acknowledged, the affordable workspace strategy must be reconsidered in order to allow schemes to be viable and subsequently deliverable.

Matter 5 – Site Allocations

Issue 1 – West End and Botley Road Area of Focus

Q1 – Is Policy WEBRAOF justified, effective and consistent with national planning policy?

The West End and Botley Road Area of Focus includes Oxford's West End and the Nuffield Sites. As is acknowledged, Oxford's West End is a critically important part of the city and in particular a key arrival point. The area is currently underperforming and underdeveloped. In particular, the area between the station and the historic core currently fails to act as a cohesive, distinctive place, a place people want to spend time, and a place that positively connects with the wider city. There is clear potential for the West End of Oxford to be transformed into a vibrant city quarter through the successful development of a number of key sites in the area, notably the Nuffield Sites.

As is rightly noted, heights of new buildings will be an important consideration. Whilst this is noted as having *a 'likely degree of tension'* we would advocate that in embracing change through development via high quality architecture and by adopting high quality design and placemaking principles, a well-considered approach can be taken to introducing development of scale to the West End that makes a positive and balanced contribution to the city's character and setting. It is to some degree inevitable that regeneration and redevelopment will create change to the character and setting of the city, though change cannot, in itself and in all instances, be considered harmful. This aligns with NPPF Paragraph 135(e) which states that *"Planning policies and decisions should ensure that developments... are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change"*. This must be recognised by the Council in order for aspirational transformation of the West End to become reality.

The Nuffield Sites are fundamental in supporting the delivery of regeneration in this key part of the city and to realising the potential of Oxford's West End by supporting Oxford's knowledge economy, provision of commercial space, and providing opportunities for a variety of occupiers from SMEs and startup businesses, research and development / life sciences occupants to head quarter office spaces. There is also the additional benefit that they are all in a single ownership allowing the owner to think strategically about the nature of the uses on parts of the sites, thereby promoting a Masterplan approach for the three sites. The planning policy framework must support their delivery.

Issue 1 – Nuffield Sites

Q1 – Is it sufficiently clear to decision-makers, developers and the local community dwellings are proposed on the site?

It is considered that the initial policy wording drafted makes it sufficiently clear that the expectation from the Nuffield Sites, site allocation is to include provision and delivery of residential and/or student accommodation amounting to 59 dwellings.

Whilst it is noted that unit numbers included in all site allocations include net gain figures, it has consistently been requested that 59 dwellings with net gain makes delivery of the overall aspirations for the Nuffield Sites challenging. We understand that the vacant units have already been accounted for as lost and not required to be re-provided, however the policy is not explicit in this. It is therefore considered that 'net gain' should be removed in order to provide clarity and support site deliverability.

Q2 – What is the justification for allocating three sites under the same policy? How and when will the allocation come forward and is it developable within the plan period?

The Nuffield Sites comprise the Island site, the Worcester Street car park site and the South Frideswide Square /Becket Street site. Given the physical relationship, proximity of the sites to one another, single landownership and their ability to create a collective regenerative impact to the West End, it is considered beneficial from a planning and place making perspective for the sites to be allocated under the same policy. This enables a comprehensive approach to planning and placemaking to be applied to this important part of the City as part of a masterplan approach. The sites would come forward on a phased basis within the plan period.

Q3 – Is criterion b) sufficiently clear enough to be effective? What 'opportunities' are expected and how will these be achieved?

For part b) of the Policy, it states *b) Opportunities should be taken to improve access to Castle Mill Stream from the Worcester St Car Park site.* It is requested that the wording is revised to *Opportunities should be explored to improve access to Castle Mill Stream from the Worcester St Car Park site.* This is to ensure such opportunities are investigated and carried forward, if feasible. To this extent it is considered that the policy can be made effective in its objective of seeking to understand the ways in which access to the Castle Mill Stream from the Worcester St Car Park site can be achieved.

Q4 – In allocating the site, how has the Council considered the visual impact of any development proposals, including on key views? Is the allocation justified and consistent with national planning policy insofar as heritage matters are concerned, including the approach to non-designated heritage assets?

Within emerging Policy SPCW7: Nuffield Sites, there is a section of the policy that deals with Urban Design & Heritage, under points f) – m). Within these policy requirements, any development proposal is required to have *consideration of their impact on views. In particular, views out from the historic core, views into the site (e.g., from the Raleigh Park and Boar's Hill view cones), further views, and relevant local views into, out from and across the site should all be considered.* Accordingly, a thorough assessment of key views would be completed as part of the progression of the development proposals, alongside OCC in consideration of visual impact on key views.

With respect to part g) which focuses on landscape / visual impact assessment work, it is states that *Special attention will need to be paid to views from the Castle Motte to avoid harm to the setting of Oxford Castle.* Whilst the visual impact assessment work will serve to inform and guide any scheme development, it is likely to be impossible given the immediate context to avoid harm completely. Adding this prescriptive restriction is considered unhelpful and it is suggested that rather than using the word 'avoid' the wording is updated to include 'manage harm'. It must be ensured that the overall aspiration of the Nuffield Sites is not lost or stymied by overly prescriptive or constraining policy. By making this change, the policy requirement still ensures respectful and careful consideration is given to this important view.

Part h) of the Policy states *Proposals should demonstrate how the existing designated and non-designated, heritage assets can be incorporated into plans to redevelop the site or justify an alternative approach.* The existing scale and function of the Nuffield Sites, particularly for the South Frideswide Square and Island Site must be recognised for their

limited contribution to the entrance of the city. To enable transformational change and to achieve the objectives set out in the draft Plan and the West End and Osney Mead SPD, it is requested that the words 'demonstrate how' in the first sentence are updated to 'review if'. The intention and purpose of the policy remains the same but this minor revision would assist the decision maker in how its application should be applied through the decision making process.

It is considered that these adjustments would make the policy more effective in relation to key views and heritage matters, from a national planning policy perspective.

Matter 7 –Type and Mix of Housing

Issue 1 – Affordable Housing from Other Development Types – Policy H3

Q1 – What is the justification for requiring financial contributions towards the delivery of affordable housing from new employment-generating uses? Is this justified and consistent with national planning policy?

For commercial/ employment generating uses delivering a net gain in floorspace of 1000sqm GIA or more, the draft Policy seeks a contribution of £10per sqm GIA. Whilst the Viability Assessment (2025) suggests that introducing such a contribution has a modest/de-minimis cost impact, we maintain (as also set out in our Regulation 19 response) that the introduction of this draft Policy would impede deliverability.

Seeking affordable housing contributions from commercial development places an additional significant financial requirement upon commercial development, particularly in light of the revised CIL rate for Class E offices and R&D which has increased from £33.74 to £168.74 per square meter GIA (non-indexed). The substantial uplift in commercial CIL charge will add significant financial pressure to the deliverability of commercial schemes. Seeking further financial contributions from commercial development would render schemes undeliverable on the basis of existing and ongoing viability challenges, working within constraints of complex urban development and within the sensitive heritage constraints that pertain in the City with regard to quantum of acceptable development.

Whilst the provision of affordable housing is supported as a priority in principle, this needs to be balanced against the commercial capability and deliverability of schemes, especially in the currently very challenging economic conditions. As per our Regulation 18 and Regulation 19 comments, we are of the view that seeking financial contributions for affordable housing from commercial schemes would have a significant impact on the ability to deliver transformational change within the City, in particular at the Nuffield Sites, which is also a clear Council priority.

To this end, this draft Policy has not been positively prepared, is not effective or justified and is not consistent with national policy.

Matter 9 – Local Services and Facilities

Issue 2 – Community Facilities – Policies C3, C4 and C5

Q5 – Does Policy C5 apply to sites allocated for mixed-use developments?

It should be made evident in the policy that flexibility should apply with regard to the application of this policy against wider plan policies to enable major, large scale and mixed use development to be delivered to meet the ambitions of the Local Plan and in particular with reference to the Nuffield Sites. It is suggested that supporting text is incorporated which supports a flexible approach toward protection and retention of cultural venues where site allocations are supported for comprehensive mixed-use redevelopment, as well as an additional bullet point included in the policy itself regarding the list of circumstances where the loss of cultural venues is supported. This additional bullet point could be incorporated / read as follows:

- *Or forms part of comprehensive, mixed use development scheme.*

Matter 11 – Infrastructure and Viability

Issue 2 – Viability – Policy S4

Q2 – The Viability Assessment states that where the cumulative impact of policies is concerned, the results are "…hugely variable and it is likely that some trade-offs between policy objectives will be required at the development management stage". It then goes on to recognise that "…this inevitably comes with the

downside of a higher volume of site-specific viability testing at the development management stage". However, is this approach consistent with the Framework and the PPG? Paragraph 59 of the Framework advocates that where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed viable?

As set out within our response to the Regulation 19 Consultation, we continue to highlight that there are various emerging policies in the Plan which when combined, or indeed in some instances applied in isolation, do not support deliverable urban development and redevelopment in Oxford, including at the Nuffield Sites. It cannot be taken that the policies in the draft Plan, when fully complied with, will result in deliverable development. Therefore, the emerging policies and draft Plan are not considered to be consistent with the Framework.

As detailed further within our Regulation 19 Consultation response and referred to under our various responses to the Matters, Issues and Questions above, several amendments to policies within the Plan are required to enable a more constructive policy landscape in which to bring forward development on the Nuffield Sites (amongst others).

The cumulative impact of all of the combined policies that would apply to landowners / developers such as Nuffield College who are seeking to bring forward major and large-scale employment generating proposals to the City must be recognised. As stated, when all draft policies are combined, it makes for a highly challenging position to enable deliverable development to come forward. Whilst the NPPF seeks for Plans to be aspirational, it also seeks for them to be prepared positively, in a way that they are deliverable. It is considered that this balance has not yet been struck when considering the draft Plan as a whole. As such, it cannot be said that if all policies are complied with in the emerging Plan, this would result in deliverable development for the City.