

Oxford Local Plan 2016-2036 Examination CPRE Oxfordshire response to Inspectors' Matters & Issues

MATTER 2 - HOUSING CAPACITY IN OXFORD (AND UNMET NEED)

A. Introduction and Summary

CPRE is grateful for the opportunity to comment on the justification for, and therefore soundness of, Oxford's Capacity Statement. It is inadequate and falls far short of the obligation to demonstrate that no stone has been left unturned in identifying their capacity before inflicting "unmet need" on their neighbours, especially when they are demanding this be at the expense of Green Belt land.

It is CPRE's position that at the 10,884 the City now suggests, despite being an improvement on the 8,620 in the Draft Plan, remains very substantially understated, and that the true figure is with a range of 18,000 - 36,000 dwellings. The Plan cannot be found sound until the capacity assumptions have been robustly re-examined and the totals substantially increased.

In orders of magnitude the City's proposed capacity is understated dramatically because densities are far too low; because too much land is ring-fenced for further employment growth when more than full employment already exists; and because the concern identified by Fortismere in 2016, and brought to your attention in the context of this examination, that developable sites have not been exhaustively identified, continues.

We have neither the resources nor the detailed information to allow us to prepare a robust alternative capacity figure. But in CPRE's estimation the City's true potential capacity lies in the 18,000 - 36,000 range rather than the 11,000 suggested by the City itself.

Our capacity estimate would effectively eliminate unmet need on the SHMA numbers and provide a considerable reserve if the more appropriate standard method was substituted.

B. History and Background

It is self-evident that the assessment of Oxford's capacity is the duty of Oxford itself and that where unmet need affecting the Green Belt may arise as it does in this case that the sequential methodology of Paragraph 137 of the NPPF should be employed and "no stone left unturned" in capacity assessment.

In fact, although Oxford's Plan has only just come to examination the whole process was pre-empted by the Oxfordshire Growth Board in 2016, where consultants examined Oxford's capacity with little engagement or satisfactory evidence from Oxford itself.

Against the City's opening offer of 10,366 dwellings, but based on Oxford's own figures and past performance, the Growth Board's consultants, Fortismere, provided a range of assumptions about the City's potential twenty-year capacity, all higher than the City's proposal, ranging from 11,468 dwellings to 13,762.

In their report, Fortismere made a number of recommendations including that Oxford should search for sites more diligently, reconsider employment land, and utilise higher densities (a foresight of Para 137 of the new NPPF yet to come), which together amounted to a declaration that Fortismere's own assumptions were unsound - and understated - because of the paucity of reliable evidence from the City.

On this unsatisfactory evidence the Board arrived at the conclusion that against the SHMA 28,000 number, Oxford's "unmet need" was 15,000, and therefore, implicitly, Oxford's capacity was 13,000.

That process and those conclusions have never been robustly and independently examined as a whole; in the course of the examinations of neighbouring authorities affected by "unmet need" Inspectors have accepted the broad process the Growth Board adopted but in each case have said (quoting the Vale) However, this figure (unmet need) has the status of a working assumption at this stage to be confirmed or adjusted through examination of the Oxford City Local Plan.

This EIP is therefore the first time that Oxford's housing numbers, capacity, and any consequent "unmet need" is to be robustly examined. Previous Inspectors examining neighbouring authorities have expected that any different conclusions will amend Local Plans which have already been adopted (Vale and West Oxfordshire) and others which are in process (Cherwell and South Oxfordshire).

C. Oxford's Capacity

The onus is not on others to prove the City's capacity, but rather to search for evidence that the City itself can convincingly demonstrate that it has left "no stone unturned" in identifying and efficiently utilising its land.

This is especially the case where there is a potential “unmet need” and consequent impact on the Green Belt when Para 137 of the NPPF is engaged, with its requirement to make as much use as possible of suitable brownfield sites and underutilised land - implying exhaustive search for sites - and optimise the density of development in line with the policies in chapter 11 of the Framework, including whether policies promote a significant uplift in minimum density standards in town and city centres and other locations well served by public transport, as is the case for the whole of Oxford.

There has not been, and is not, any such convincing demonstration. It is furthermore difficult to ascertain from the HELAA exactly how the 10,844 capacity that is proposed is derived.

D. CPRE’s View

Fortismere’s 2016 report expressed concern that an open call for sites had not been heard, and the Inspector’s initial Question 4 to the City suggests that availability has still not been fully assessed.

Clearly from the published site assessment study, a large number of sites have been rejected that might have had potential, and employment sites available are protected for employment when they could potentially be released for housing.

For example, it is not made clear why sites like the Greyhound Stadium, which was initially proposed for housing by the City itself in the 2012 Plan and then withdrawn, are not being prioritised for housing.

Similarly, current proposals for Oxpens, a prime city centre site, would appear set to facilitate generation of more housing demand, rather than the resolution of it. Our understanding is that the site (being jointly developed by the City Council and Nuffield College) is being considered for 100,000 sq ft of employment space (estimated capacity 1,000 employees), but only 200 dwellings.¹

Overall, from the evidence provided by the City Council, it is not possible to assess how much employment land is vacant, or which employment premises might potentially be convertible to housing.

What is clear though is that there is considerable scope for an uplift in density assumptions.

The densities on which Plan capacity is said to have been calculated are:

District centre 100
Gateway site 60
Suburban site 50
Conservation area 35

¹ See: <https://ukpropertyforums.com/wp-content/uploads/2019/11/Oxford-Report-Autumn-2019.pdf>

This is an average of 61 d.p.h. It is then discounted by 10% for potential non achievement.

However, the Plan densities are already at the bottom end of the range of densities the City itself considers appropriate in its HELAA report, which are:

Development typology	Proposed density banding (units per ha.)
District centre	100-120
Gateway site	60-70
Suburban site	50-60
Conservation area	35-55

These provide an average mid-point of 69 d.p.h. , which would increase Oxford’s total claimed capacity from 10,884 to 12,311 or if the top end of the scale were used instead of the bottom, an average of 76 d.p.h. (surely the proper course to take when leaving “no stone unturned”), that is 13,560 dwellings, or 15,015 removing the 10% underperformance assumption.

It is not as though even the high-end average of the City’s density scale, 76 d.p.h., is remotely challenging.

As Lord Rogers wrote in *Housing for a Compact City*² *“Even in Central London we are still building at an average of 78 dwellings per hectare, around half the density of the Georgian terraces of Islington and Notting Hill built 200 years ago, or of contemporary European developments”*.

Density in Central Paris, a not unattractive place to live, is 200. Neighbouring South Oxfordshire proposes a density of 70 for “suburban” or perhaps more correctly urban fringe/gateway sites. The conservation area of Jericho close to the City Centre is already at a similar density and highly sought after.

Adopting to these actually achieved densities would increase the mean Oxford density from 61 to 102.5 d.p.h., and the City’s capacity from 10,844 to 18,132. This does not mean high-rise - in fact high rise is not especially efficient in density terms. It means eminently liveable accommodation like Chelsea and Fulham.

The City’s capacity could be increased from 10,884 to 13,560 simply be taking the high rather than the low end of the City’s own density ranges; by increasing to the densities of Paris and South Oxfordshire, to 18,132. This however still leaves some sites within the City categorised as “suburban” which is an odd term to use for such a small City as Oxford.

² Housing for a Compact City, GLA 2003

More rationally classifying all sites as “City Centre” in a city as small as Oxford, and using Parisian densities, Oxford’s capacity would increase to 35,682.

The effects of increasing density assumptions on both capacity and “unmet need” are dramatic as the table below illustrates.

	Capacity	SHMA based Unmet Need	Standard Method Unmet Need
Plan (amended)	10,884	17,116	4,036
High end of Oxford’s Plan density scale	13,560	14,440	480
(Without 10% “discount”	15,105	12,895	Nil, surplus 1,065)
Paris/South Oxfordshire model	18,132	9,868	Nil, surplus 3,212
“City Centre only” model	35,682	Nil, Surplus 7,682	Nil, surplus 20,762

That is before considering what “undiscovered” sites might be available, or allocating or re-allocating known sites to housing.

These figures are necessarily illustrative. CPRE has neither the resources nor the access to data to prepare a detailed alternative capacity scenario.

The figures do however ask questions which the City needs to answer if it is to satisfy the examination that no stone has been left unturned in seeking to accommodate its own housing requirement sustainably within the City itself, rather than export it to its neighbours’ Green Belt as it intends.

E. Related Density Issues

The higher densities CPRE advocate provide positive benefits over and above more efficient land use and greater sustainability:

i. Lower house prices

Higher densities mean smaller dwellings commanding lower prices. This is a certain route to improved affordability ratios where the standard method volume uplift is not. It will also help rebalance Oxford’s housing mix.

ii. Lower emissions

- a) Compact developments are warmer, and the denser the development the greater the effect. Consequently, the overall need for heating is reduced.
- b) Similarly, creation of compact developments reduces the need for car use firstly because distances are shorter and secondly because public transport is more cost-effective.

iii. Greater social cohesion

Higher density compact city housing is a byword for social cohesion. The concentration now is rightly on upgrading older housing rather than the Pathfinder projects of the 90s to bulldoze it all away.

F. Conclusion

Paragraph 137 of the NPPF - and common sense - requires that the City takes all reasonable steps to accommodate its housing requirements, especially where failure to do so would result in unmet need impacting on Green Belt land.

It cannot be known how many potential sites have not been identified but it is clear that the assignation of land for employment and mixed use should be reconsidered - as should policies preventing otherwise permitted changes of use - and that densities far higher than those proposed by the City should be deployed.

As we showed in our response to Matter 1, the standard method, modified as Para 11 of the NPPF suggests, should be used to determine requirement not the grossly inflated SHMA. Likewise, the Plan cannot be sound until the capacity assumptions have been fundamentally reviewed and substantially increased.

Either improved land use or the change to the standard method would effectively eliminate “unmet need” and any consideration of using Green belt sites inside or outside the City.

Both together would provide the City with spare capacity and allow both the City and the County to review spatial planning to recognise the need to cherish the City for the economic value its environment and heritage provides and steer any necessary and appropriate growth, particularly in relation to employment, towards the County towns.

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We received the Secretary of State’s called-in Burley decision APP/W4705/V/18/320820 just as our Hearing Statements were being finalised and too late to include an informed evaluation of it. However, it deals with the circumstances in which NPPF Para 11 is not engaged; the “scoring” of Green Belt sites; and the harm from merger of settlements amongst other matters in ways that appear to support the case we make on these issues. We are likely therefore to rely on it at the EIP.