



Wolvercote Neighbourhood Forum & Wolvercote Commoners' Committee.

Comments on application ref. 18/02065/OUTFUL - Oxford North

OUTLINE APPLICATION

The following comments have been updated to respond to the recent applications by TWO in accordance with the AAP's intention (3.4.39) to 'allow the local community the opportunity to influence the design of the Northern Gateway to Oxford and help define this area of the city.'

1. Viability and affordable housing

The Wolvercote Neighbourhood Forum supports the Local Plan policy for the provision of affordable housing for families of existing Oxford residents and also for the city's employees in order to minimize commuting at rush hour and the resultant congestion and pollution. The NPPF (Para 8 (b) - Social objectives) states that a sufficient number and range of homes should be provided to meet the needs of present and future generations. The AAP for the Northern Gateway was clear that 'there is a specific and pressing need for affordable housing in the city' and there was a commitment that 'a minimum of 50% affordable would be required by OCC on this site (p.15). It is therefore disappointing that the developer seeks to avoid building any social, intermediate or key worker housing units and has indicated on the application that only market housing will be built. Without affordable housing, it is not credible to claim that "the effect of the Proposed Development, in combination with other proposed residential schemes, will have a long term major beneficial effect on meeting housing need" (Environmental Statement chapter 14, clause 14.9.3).

We object to the application on this basis.

The only justification for a developer seeking a reduction of this number (50%) is if the development is not viable.

TWO's viability statement is unacceptable for the following reasons:

- (a) The calculation of Residual Land Value depends on the stated Benchmark Land Value. The latter is usually subject to negotiation between a landowner and developer. Here, much of the site is and has been owned by St John's for some time and TWO is acting for them, so circumstances are different. Planning Practice Guidance (PPG Para 04) states that the value has to take into account the total cost of all relevant policy requirements, and this would therefore include the provision of affordable housing. The standard viability model used here is therefore not appropriate. The Benchmark Land Value could be reduced by 15%, and that would make the provision of affordable housing viable.
- (b) The value in the viability model for affordable housing on this site (£150 per square foot) is very low considering that affordable housing is 80% of local market rent, and in this locality it could realistically be doubled.
- (c) We would expect it to be possible to negotiate lower professional fees and

marketing fees.

- (d) Construction costs are unknown at this stage so these cannot be accepted without question.
- (e) The profit target sought for St John's is not stated and this needs to be made known so that it can be seen to be reasonable. It would be unacceptable if in seeking to achieve high profits from the development there were to be a reduction in, or failure to provide affordable housing.

It is our view that the Council must not reduce the requirement for 50% affordable housing on this site as set out in its AAP approved by a Government appointed inspector after a long and expensive enquiry.

It should not accept this viability statement. It should rather be challenging the assumptions and conclusions in the statement and negotiating changes to secure the needed affordable houses. We therefore object to the application.

2. **Quantum**

We note comments made about this application by Merton College, in which it suggests that the applicant has underestimated the potential of the land owned by Merton, which is not part of the current application. A similar situation arises in the south-east corner of the site owned by OCC, where it is alleged that there is sufficient space for 20 houses (ES.6.8). We would object if the size of the completed development overall, including the Merton College and OCC land, were to exceed the amounts agreed in the AAP. The final figures need to be established at the current stage of the process.

Therefore we object to the quantum figures given in this planning application.

3. **Quality of life**

The principle that housing and development should be built near main transport arteries is reasonable for the efficient use of land in order to preserve as much countryside as possible. However, the effects of vehicles on the quality of life of the people living in the vicinity of these arteries have been underestimated and the solutions for mitigating these are inadequate. Air pollution, vehicle noise and safety are fundamental issues. These are acknowledged (e.g 180731DASV1002 March 2019 11.5). but without adequate mitigation especially for the buildings on the A40. Setting them back and using them as a buffer for other housing is unacceptable. 'Planning policies and decisions should ensure that new development is appropriate for its location taking into account the likely effects of pollution on health' (NPPF 180).

We object to the application because there is no evidence that appropriate consideration of best practice has been given to this.

We refer for example to the planning guidance issued by the Institute for Air Quality Management (2017) for best practice guidance that is consonant with Defra's intention and to the British Lung Foundation's response.

3.1. Noise pollution

As residents of this area, living in similar proximity to the A34 road, we are already subjected in our houses and gardens to unacceptable noise pollution from this road, particularly outside our homes. Traffic noise is constant from 0500 to 2400 most days all the year. We note that problems are anticipated for the homes planned beside the A40 and A44, where double-glazing and mechanical ventilation is recommended; however, residents should not be expected to stay inside their homes with the windows closed or be unable to use their gardens because of traffic noise levels. We also note the recommendation for some buildings to be sited to act as sound barriers and “suitably specified acoustic barriers as boundary treatments” (Environmental Statement chapter 13, clause 13.6.5) but we have seen no details of these. Therefore, considering traffic noise, we do not support the siting of new housing anywhere where ventilation fans and keeping windows shut are essential, and so for this reason **we object to the siting of the houses alongside the A40 at the margin of any arterial road and along the ‘link road’.**

3.2. Air pollution

The emerging Wolvercote Neighbourhood Plan does not permit residential development where air pollution levels are such that they are likely to be injurious to health, as defined by the World Health Organisation. There is a legal right to clean air (ECJ, caseC-404/13). Air pollution is accepted as a cause of premature death, and as having a harmful effect on foetuses and small children. Its contribution to cardiovascular and cerebrovascular disease is established, and there is evidence of dementia risk, (<https://www.who.int/air-pollution/news-and-events/how-air-pollution-is-destroying-our-health>). In Oxford and Cherwell, Public Health England indicates there are 55 to 61 excess deaths per year owing to particulate air pollution. Levels of Nox and PM2.5 are known to be greater than those acknowledged and predicted

The plan to reduce ambient air pollution in central Oxford does not extend to this area of housing and workplaces. Air quality here is already poor and whatever attempts there are to encourage the use of alternative methods of transport, there will be an increase in traffic and consequently an increase in pollution. The projected traffic levels in the planning application are entirely unconvincing given the working and resident populations proposed for the site. We agree with CPRE’s comments on the assessment of the increase in the volume of traffic.

The proposal in the application to continue routing of HGVs along the A40 as far as the Wolvercote Roundabout would create unacceptable air quality for the residents of any housing sited alongside that road. The developer’s argument that technology will improve air quality by reducing emissions from cars and HGVs is beyond his control and therefore bears no weight. Even if there were to be fewer petrol and diesel cars, the number of HGVs is not set to decrease. Particles from tyres, from the friction material in brakes, clutches and automatic transmission in all vehicles, petrol, diesel or electric, is potentially harmful. There will be queuing at approaches to the roundabout too, and queues increase pollution. The site is also near railway lines where trains are pulled by polluting

diesel engines and plans for electrification are postponed indefinitely.

Where housing is proposed, we would have expected the developer to submit evidence to show that air quality standards are being met. We do not believe that acceptable air quality is currently achievable on this site. Thousands of residents and workers will be at risk if this planning application is approved.

Therefore we object to this application on the grounds of known serious risks to public health.

4. **Road traffic**

The promotion of efforts to make transport sustainable is very important because the roads surrounding the site are congested and the congestion and consequent pollution are predicted to get worse. The proposals for the A40 and the A44 and the road linking the two roads through the site will in our view do nothing to reduce congestion and pollution. Few of those working on the site will be able to live there because of the high cost of the housing and it is almost certain that many of the houses will be occupied by people commuting to work elsewhere from Oxford Parkway. The addition of 480 homes, a hotel, nearly 4,400 jobs and the suggestion that the site will become an attractive destination will no doubt counteract any attempt to achieve the modal shift frequently put forward as something that can be achieved here. Traffic lights and lower speed limits, if observed and enforced, may control the traffic flow but queues will be longer, adding to air pollution, and delays have economic consequences. We accept CPRE's comments on the unconvincing figures provided in the application for the likely increase in the volume of traffic. We are equally unconvinced by the latest modelling. There will also be substantial increases in commuter traffic consequent upon large developments proposed in District Council's Local Plans to meet Oxford's unmet housing need. Local residents already experience traffic cutting through residential roads to avoid current congestion at the Wolvercote roundabout and this is likely to increase.

On the other hand, we do not believe that the once promised and part-funded Loop Farm Link Road with proper signage and controls would make no difference to the traffic. There needs to be a thorough public and independent analysis of this scheme. We consider that a time scale for the implementation and the assurance of available funding for the Loop Farm Link Road is crucial before any approvals are considered for this site.

TWO's plans for Oxford North make much of an ambitious proposal for a shared-use inner link road, Thomas White Street, that is closed to HGVs which will still have to use the Wolvercote Roundabout to access the A44 from A40 and vice versa. This is completely at odds with the Design Code in the AAP, which states that the inner link road should be as near the north end of the site as possible and should be wide enough to accommodate HGVs. Thomas White Street is described both as a link road and 'primarily a site access road to serve the central area of the development site and designated parking areas'. On-street parking is also proposed. It is therefore implausible that this new route across the site will 'mitigate the existing volume of traffic using the Wolvercote roundabout'. The road could easily become congested and dangerous for all users. Ideally it should not be a through road at all. Any link road

should accord with the requirement of the Design Code.

For the reasons stated it is our view that the traffic proposals do nothing to mitigate the expected increase in the volume of traffic generated by the development and consequently we object to the application.

5. **Parking**

It is obvious that there is concern about the consequences of the limited parking provision on the site. It is a good thing to try to reduce car use but providing only 70 parking places for a 180-room hotel is optimistic. The proposed provision of hotel parking in the AAP is one space for two rooms and one for two resident staff. This is more realistic, though it may still be insufficient. The expectation that there will be overspill parking is clear from the proposed measures to control parking in the immediate area. For example, it is suggested that if necessary there would have to be a CPZ in Upper and Lower Wolvercote. We are not aware of available funding for this, nor of any support for a CPZ. Local residents resent having to pay for permits simply because Oxford North cannot manage its parking.

We object to the application.

6. **Cyclists, pedestrians and siting of housing**

The plans for cycling do not follow best practice recognised by Oxfordshire County Council and incorporated in OCC's Cycling Design Guidance following the principles in the London Cycling Design Standards as recommended in the National Infrastructure Commission Report: Running out of Road by Andrew Gilligan.

Current crossing provision for pedestrians and cyclists at Wolvercote and Pear Tree Roundabouts is not satisfactory, safe or pleasant to use. Negotiating current traffic, for drivers, walkers and cyclists alike, at the junction with Godstow Road is especially difficult and potentially dangerous because there are no lights or controlled crossings and lane discipline is frequently not observed by cars or lorries. In terms of access alone, therefore, the siting of the new housing is problematic as the essential connections to and from neighbouring areas will be difficult, particularly for pedestrians and cyclists.

The proposed East Side housing will be especially problematic for those other than car users, as all pedestrians and cyclists will be forced to cross major roads. It is indeed unfortunate that the developer appears unable to provide that socially needed "positive relationship to adjoining neighbours" (Design and Access Statement Vol.1 section 11.6, para 3) across the railway line. What is needed here are safe physical links to the Lakeside area, as well as to Oxford Parkway station, in the form of bridges or tunnels.

Links to the areas of housing proposed by the Cherwell District Council to cater for Oxford's unmet housing need also require more attention in these plans. More attention to the design of crossings at the Pear Tree Roundabout is therefore essential.

We therefore object to the proposals for cycle and pedestrian access.

Planning permission should not be given until the provision for cyclists and pedestrians follows the best practice guidelines as expected by OCC .

We think that there should be grade separation especially at all major road crossings.

7. The Environmental Statement

There are a number of very unsatisfactory issues and unacceptable proposals contained in this statement contrary to the AAP and the Neighbourhood Plan, in addition to those in respect of views in sections 8-11 below.

Biodiversity

The revised NPPF 2018 states in Para 170 that “planning decisions should contribute to and enhance the natural and local environment by.....minimising impacts on and providing net gains for biodiversity, including by establishing coherent networks that are more resilient to current and future pressures”. The Northern Gateway AAP states that “opportunities will be taken to create links between natural habitats to join up wildlife corridors”, and “Development should be designed to incorporate existing landscape features that add value to the site where possible, and to minimise loss of trees and hedgerows” (Para 7.13).

The biodiversity assessment carried out on behalf of the developers estimates an overall score of -6.99, excluding hedgerows, which show a claimed increase of 5.02.

TWO are destroying habitat and existing biodiversity networks by removing almost 90% of the hedgerows and 60% of the trees on the site. Even though some re-planting will occur, it will be many years before networks are re-established on the site. It would be far better to plan to retain those hedges and trees due for removal until as late as possible as the various phases of construction take place, with appropriate re-planting done too as it becomes possible. This would perhaps help biodiversity to continue on the site, rather than the current plan, which will see the removal of almost all of the habitat on site for at least 10 years.

Greater efforts should be made to retain existing hedgerows and trees on site in accordance with the requirements of the AAP.

We object to the application because of a failure to fulfil the requirements of the AAP.

Chapter 7 of the ES Part 1 pages 7.25-7.29 summarises the potential effects on ‘features’ once the site is developed. Our comments are as follows:

- Wolvercote Common, Wolvercote Green SSSI will be under increased professional and recreational pressure from dog walkers, which may affect the protected plant species. Dog faeces may lead to “marginally higher nutrient levels....in the long term (favouring more nutrient tolerant ruderal species).” But more importantly, dog faeces are a serious health hazard, causing Neosporosis in cattle grazing on the Meadow, and also Toxocariasis in humans.
- Hedgerows – 450 metre loss, even after re-planting on and off site. TWO

acknowledge that they currently form a valuable ecological network. Also much depends on proper management of the new hedges in the future to ensure they retain their ecological value which would be greatly enhanced by the planting of hedgerow trees.

- Semi-improved grassland – 1.85ha will be permanently lost. There will be 3ha off-site species-rich semi-improved grassland (in Cutteslowe Park), to be managed by OCC. There are no details of the location of this in Cutteslowe Park. Sites remote from the area lost do not provide appropriate mitigation, and there is no attempt to show how this will form a network for wildlife once the site is completed. There have been no discussions with local groups. It is assumed that it is intended that TWO will fund this as part of their mitigation strategy. Clarification of location and funding is required.
- Bats - There will be permanent moderate losses in some protected species due to removal of foraging and roosting habitats, and possibly the effects of artificial lighting. It is unacceptable to plan to diminish the numbers of protected species.
- Hedgehogs – there will be a permanent moderate adverse effect owing to loss of habitat.
- Badgers – A similar effect due to habitat loss.
- Breeding birds – There will be a permanent loss of linnet and skylark due to lack of suitable habitat.
- Grass snake, common toad may well be permanently lost.

The mitigation measures described on P165 of Chapter 6 indicate how many years after construction has been completed it could be before the various parts of the environment are fully functional. (This assumes correct management of the newly-planted areas.)

- Enhancement of improved and species poor semi-improved grassland - moderate condition within 5 years.
- Creation of dense scrub will achieve moderate or good condition within 5-10 years.
- Creation of wetland and swamp vegetation will be achieved within 3-5 years.
- Creation of species-rich native hedgerows within 10-20 years.
- Off-site compensation at Cutteslowe within 10 years.

Overall, TWO expect a loss of -6.99 on a score of habitat biodiversity (excluding hedgerows). Hedgerows, it is argued, would show a net gain of 5.02. The biggest loss is in grassland at -25.69. The NPPF, in para 170, as referred to above, requires a net

gain in biodiversity. OCC also requires a net gain in biodiversity, as outlined in the emerging Local Plan, policy G2, as does the emerging Wolvercote Neighbourhood Plan. Natural England says that this development should show a net gain in biodiversity. The requirement is for a net gain of 5%, and if this must be compensated for off-site, it should be in the locality.

Because of the expected minus figure for biodiversity, TWO have a number of possible suggestions for discussion and agreement with OCC:

- The provision of a greater area off-site habitat enhancement on land under the developer's control; or
- Financial payment to an organisation with the ability to deliver biodiversity net gain; or
- The provision of additional habitats within the development as detailed designs are approved; or
- A combination of the above.

No mention is made in any of these suggestions of what distances might be involved. The increase in biodiversity should be within the WNPA if at all possible, as that is where the losses have taken place. Mention is made of green roofs, which could be brought forward as part of detailed plans, and these should be supported. However, there must be a net gain of at least 5%.

We object to the application because there is a failure to demonstrate that proposals accord with the requirements set out in the AAP, that there is adequate, timely and appropriately located mitigation for the loss of biodiversity consequent on the development and no certainty of a net gain of 5%.

8. Heritage and views from the Wolvercote and Godstow Conservation Area

The Northern Gateway AAP NG7 makes clear that any new development plans will be required to show “an understanding of the area’s heritage, setting and views. In particular, applications will be required to demonstrate how the Wolvercote and Godstow Conservation Area, and views of, into and out of the site have influenced proposals”. The application refers to the area at the northern edge of the CA, but states that it has no historical contribution to make to the CA. The ES (Para 8.10.43) refers to the Conservation Area Appraisal, which mentions the contribution of the commons to the greenery and rural character of the wider CA, and the contribution of the canal to its tranquillity. The development will affect the views out of the CA, and will certainly not enhance the “rural idyll” of Wolvercote. The view and photomontage of EDP3 show that the current rural nature of the view from a part of the CA is ruined by the view of planned buildings.

**This is not in compliance with NG7.
We therefore object to the planning application.**

9. Views from Port Meadow

It is clear from the description of the site's position in Para 3.19 of Appendix 6.1 that the developers are emphasising the presence of all the existing road and rail networks, and the current edge of development on the north side of Oxford in order to claim that this is already an urban environment. To do this, when large expanses of common land are within 200 metres of the site, is not taking into proper account the importance of the heritage of Wolvercote. This is why it is really important to protect views of the site from Port Meadow and Wolvercote Common and Green. In particular, the height of the Red Hall, which will be visible from Wolvercote Common and Port Meadow, is unacceptable. Mistakes have been made in the past as at Castle Mill Flats where buildings have been erected which unnecessarily spoil views from these areas.

ES Para 6.5.52 describes how views of the development from Port Meadow will be "significant" and "major/moderate". As a SSSI and a highly valued stretch of ancient common land, it is vital that views from Wolvercote Common and Port Meadow are protected. EDP 12 shows that the development will be visible, and reliance on "intervening vegetation and existing built form" for mitigation is highly unsatisfactory. Over time, these mature trees will need replacing, and yet the development offers no possible solution to this by offering to plant new trees off site.

ES Para 6.5.53 is most unhelpful. Merely saying that "The conversion of any greenfield site to a major development site would yield such an outcome (significant effects)" misses the point. The developers are right in saying that "most people would see the visual and sensory change from greenfield to development as adverse."

We therefore object to the planning application.

10. Building heights

The adopted AAP contains the following section (UF04):

"Maximum and minimum building heights are specified for each character area. These are based on creating a denser core at Cowhill, similar in scale to Oxford City Centre, surrounded by domestically scaled development.

In order to reinforce the character of the public realm and legibility, visual interest should be created by varying the height, massing and form of buildings so that they align with visual axes, nodes of activity, and the street hierarchy. At corners, for example, the visual prominence and legibility of a corner location should be reinforced by the main entrance, massing or articulation of the façade.

All proposals will need to comply with the requirements of Policy NG7 that new development has been designed with an understanding of the area's heritage, setting and views. In order to comply with policy NG7, the numbers of storeys and/or the heights of storeys may need to be reduced....."

The buildings nearest to Wolvercote Common and Port Meadow are planned to be the lowest – 2 or 3 residential storeys (6.3m/9.45m).

Commercial buildings will be 3, 4 or 5 storeys (12.6m/16.8m/21m). The highest buildings will be in the Central area near to the link road, and near to the A34.

The building heights are measured in AOD, and the site is higher than Port Meadow by about 15 or 20m AOD.

Buildings of 4 or 5 storeys near to Wolvercote roundabout would be visible from Port Meadow, and this is acknowledged by TWO. They rely on the growth of mature trees which are in the intervening space to break up the view from the SAC, and from the Thames Path. But under existing plans, there will always be a view of the site from Viewpoint EDP21 on Port Meadow. This is unacceptable. Views from the Oxford Canal and Cycle path 5 would also be permanently dominated by the development.

The tallest buildings should be further away, to the North and East of the site, to protect the views from Port Meadow and Lower Wolvercote. Additionally, green walls would help to mask the mass of the buildings, as well as increasing biodiversity on site. The red roof of the red hall would even then be likely to be visible, and is totally inappropriate and out of keeping with the surrounding green area.

It is also very important to control the night-time illumination from the new buildings, as much of this will be visible from Wolvercote Common and Port Meadow. When detailed plans are made they must take this into consideration.

We object to the current application because it does not comply with NG7. The development has not been ‘designed with an understanding of the area’s heritage, setting and views.’ High buildings should be moved away from visible areas or the proposed height of the buildings should be substantially reduced.

11. Sustainability

If the developer is serious about using low and zero-carbon energy, photovoltaic panels should be installed on all buildings with sloping roofs, not just on “some buildings” or domestic buildings only. This site is likely to create a huge electricity demand, with no guarantee that the generation of that electricity off site will be low-carbon. Therefore the more electricity that can be generated on site the better.

The current plans fall far short of what could be achieved in what should aim to be an exemplary sustainable development. On this basis we object to the application.

12. Drainage

We have noticed the concerns expressed by Thames Water about the adequacy of foul drainage and need to be assured that this issue has been resolved.

More seriously we are concerned about run off from the site consequent upon the development and the lack of resilience to climate change. The developers have only

considered the area made impervious by their development and have underestimated the run-off rates and volumes in extreme conditions. It is generally accepted that run-off rates and volumes should not be increased in comparison with current 'greenfield' conditions. This would be correct on perfectly permeable land. Allowing for the 40% climate change uplift in rainfall only for the hard surfaces makes little sense. The development depends on the open spaces - or it would not be viable and those spaces will also provide a 40% increase in run-off above the current greenfield run-off rate. The developer should take responsibility for managing the additional surface water run-off from those open areas of the site, as well as the areas that are made impermeable by his development. It is clear that the whole site will effectively be impermeable during heavy rainfall - so there is no mitigation owing to some parts being permeable. **The effect will overwhelm flood storage capacity and result in additional uncontrolled flooding downstream in 1 in 100yr events.**

We therefore object to the planning application because it fails to be resilient to climate change.

RESERVED MATTERS – Phase 1A - Red Hall and Workspace

We object to the reserved matters application on the following grounds.

1. Generally

Scale and style.

We consider that these buildings are too high. The designer's declared reference to buildings in the Victorian suburb of North Oxford, situated nearly a mile away from the site, and introduced at a larger scale to these green fields surrounded by 1930s suburbs results in a style and form which is alien to the site. The reference is only made to gable ends and not to side elevations. The result is three large industrial-style sheds, which are inappropriate here.

Impact.

These proposed buildings are at variance with the requirements in the emerging Wolvercote Neighbourhood Plan that the scale of buildings and the material used should be in sympathy with the surroundings. The ground level of the site here is 10 metres higher above sea level than Port Meadow and the Red Hall is 24m high with a 7m roof, so it will be plainly visible from Port Meadow. In comparison, existing buildings around Port Meadow are about 9 metres high (3 storeys).

Sustainability.

These proposed buildings do not demonstrate a serious commitment by the developer to their vision of sustainability, as stated in the DAS.

2. **The Red Hall**

Form.

The high level cantilevered roof canopy is unnecessarily intrusive and cannot be justified as a shelter from weather or for effective shielding from the sun.

Design.

While we appreciate that this site seeks to have a distinct character, the mass and aggressive colour of the Red Hall is not appropriate for a semi-rural location overlooking Port Meadow. The proposed profiled metal sheeting, together with the horizontal bands of glazing will reinforce the industrial appearance of this building. Local residents have expressed outrage and dismay at the images they have seen and consider it even more objectionable and obtrusive than the Castle Mill Flats.

Materials.

We also have doubts about the long-term appearance of the material, particularly as it could be susceptible to fading (because of its red colour) and to staining by nearby trees.

3. **Workspace buildings**

Facade design.

Use of external stairs to add superficial interest to the facades is a simple but crude device, which appears here to be an afterthought rather than an integral part of the design. Without these stairs these facades would be bland in appearance, as is the Red Hall. The travel distance from inside the building to each exit is governed by the point at which the floor meets the stair landing, rather than where it would be desirable to have an exit. The exposure of the stairs to the weather is undesirable and should be unnecessary in a good quality modern building. These stairs will not serve as a means of escape for disabled people.

Roof plant room design.

We are concerned about the finite (possibly insufficient) size of plant rooms especially in workspace blocks, as indicated on the sections. If insufficient space is allowed this equipment will end up outside, damaging the appearance of the skyline.