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**Oxford City Council response
to Inspectors initial questions
and comments**

Question 6

July 2019

Question 6: Positive Planning

The 2019 NPPF states that plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change. Each of the submitted Plan's site specific policies either state "Planning permission will not be granted for any other uses" or "Planning permission will only be granted for.." Whilst it is noted that these expressions featured in previous plans in the City, they do not allow for any flexibility in approach to meet changing needs which would appear to be contrary to national policy in the 2019 NPPF. In consequence we are minded to recommend deletion of these statements. The Council are invited to comment.

- 6.1 We consider that the site policies are appropriately worded to achieve the objective for the specific sites and the Oxford Local Plan 2036 ("the Plan") as a whole. We do understand that policies should be positively worded. However, the list of suitable uses is designed to be an exhaustive list and the phrase helps to clarify this. It makes it clear that the listed uses are those that have been considered as suitable. Policies are not considered to be overly restrictive or inflexible. If there are site specific issues that suggest a form of development different from that identified in the site policy then these can be considered as material considerations in the normal operation of the planning process and through the operation of s.38(6) of the Planning and Compulsory Purchase Act 2004. Flexibility will be achieved in this way; it is not necessary to achieve flexibility by diluting the site allocation policies such that they lose their purpose.
- 6.2 The policies need to be specific given the severe shortage of land in the city and the high demands for competing uses. The purpose of the site policies is to secure allocations on specific sites to meet specific development needs. Therefore, it is necessary to have provisions within each site allocation about what Oxford City Council ("City Council") is seeking to require planning permission for. It is not the case that stated uses, including housing which is the priority need, will be the preference; unlike many places housing is not always the most desirable use for site promoters. We are concerned that, without sufficient control through the site allocation policies, it will be harder to achieve the Plan's aims, in particular to meet affordable housing need.
- 6.3 Most sites are outside of the town centre and district centres, and these are generally prioritised for housing or employment if that is their existing use. Sites within the town centre or district centre are generally considered suitable for town centre uses and this is reflected in policy, for example SP3 (Cowley Centre), SP4 (Blackbird Leys Central Area), SP6 (Diamond Place and Ewert House), SP7 (276 Banbury Road), SP50 (Oriel College Land at King Edward Street and High Street), SP63 (West Wellington Square- see MM65). This allows significant flexibilities in these locations where a range of uses

would be appropriate. Furthermore, on the largest hospital sites policies are clear that ancillary uses such as retail will be supported (SP20, SP42). Other sites should be protected for employment use or should provide residential development. These allocated sites are needed in order to meet these priority uses. We have used representations and statements of common ground, with some suggested modifications suggested as a result of these processes, to ensure that policies do pick up ancillary uses that may be required.

- 6.4 If the Inspectors are still minded to delete this wording then we consider the site policy wording should be amended to read '*planning permission will only be granted for...*' in order to ensure that the policies are effective.