

Oxford City Council Updated Modifications

Inspectors' response

All but two of the indicated modifications are acceptable. This includes the deletion of Policy SP64 and the previously suggested modification to Policy RE1. The two policies that need a small amount of further work are H8 and G5. We also have some comments on the Council's suggested new policy, V9: Digital infrastructure.

H8

Criterion (a) should say ...one academic year or more, subject to the provisions of (e) below.

Also in respect of H8, we have previously raised the issue of enforcement in relation to student cars parked elsewhere in Oxford. The developer will not be the owner of the student housing site in perpetuity and it is unreasonable to require them to continue in perpetuity to enforce against students bringing their cars into the city and parking somewhere else, so that reference will need to be deleted. (Even if the wording was amended to refer to their successors in title, the enforcement task would still be virtually impossible.) Policy criterion (d) (as it now is) should end with "anywhere on the site". As we said in our previous note, the solution is in the way the CPZ is managed, with the student housing being excluded from the schedule of streets in the statutory instrument that creates the Controlled Parking Zone so that they cannot apply for parking permits. This should be referred to in the supporting text.

G5

It is not appropriate to differentiate between indoor and outdoor sports – the NPPF doesn't do this. The suggested modification does not allow for an assessment of (a) whether an outdoor sports facility is surplus to requirements or (b) whether in the case of an outdoor sports facility, alternative sports and recreation provision is proposed with benefits that clearly outweigh the loss of the current or former use. Both of these provisions are within the NPPF. The easiest way to deal with this issue and bring the policy into conformity with the NPPF is to group together open space, sports and recreational buildings and land, including playing fields in the same way as the NPPF and apply to them all the criteria that are in the suggested modification. The separate section on outdoor sports facilities should be deleted. We do not see any conflict or confusion with Policy G1 which applies specific criteria to certain designated areas.

V9

The background introduction and the first part of the new policy are good, but the policy needs to be expanded to support applications for electronic communications development, as indicated in paragraphs 114 and 115 of the NPPF, subject to the qualifications set out in those paragraphs.

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16 October 2019