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**Oxford City Council response to
Inspectors' Matters and Issues**

Matter 5

*Housing
for
particular
groups*

November 2019

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Matter 5: Housing for particular groups

Whether the Plan's approach towards the provision of employer-linked affordable housing is proportionate and in accordance with national policy.

Whether the Plan's policies facilitate the provision of enough homes for older people, people with disabilities and other specialist forms of accommodation.

Whether the Plan's approach to the provision and location of student accommodation is sound.

Introduction

- 5.1 Although there are common issues that may be found between the questions within this Matter, there are limited direct linkages between them. As such each part will be answered under separate headings. However first, in order to set the context for this Matter, we have set out a brief explanation of the approach taken to affordable housing generally.
- 5.2 In Oxford the local affordable housing need is extreme and it is well evidenced that Oxford is the least affordable area of the country. It is long established that Oxford has a housing crisis, and particularly for affordable housing. Oxford experiences high levels of housing need, and its residents face major affordability issues as a result of high and increasing house prices (to rent or to buy) compared to average incomes. Furthermore the urban and constrained nature of Oxford means that it is heavily reliant on small sites for the delivery of homes because there are so few medium or large sites. The affordability challenge in Oxford is multifaceted. The City Council has developed a suite of policies in the Local Plan that address affordable housing need.
- 5.3 Policies H2 and H3 of the Local Plan deal with affordable housing. The Inspectors have put forward a main modification to be consulted on in due course that removes the requirement in Policy H2 (which was contrary to the NPPF) for small sites of under 10 housing units to make contributions to affordable housing. Policy H2 still requires 50% affordable housing from sites of 10 or more units and also requires that contributions are made to affordable housing from student accommodation. The viability study (SUP.3) supports these requirements. Affordable housing from larger sites is required in accordance with the NPPF. On-site contributions from student accommodation are not required, but contributions are required. This is justified in Oxford for a number of reasons, including the high housing need, which is driven by affordable housing need,

viability and the competition between student accommodation and market housing that often sees student accommodation as the favoured option, which would be even more so if it was not required to make any contributions. SUP.3 shows that student accommodation sites remain significantly viable (e.g. as shown in the table in paragraph 7.57) so the ability of the universities to expand and compete internationally would not be inhibited by this policy. Sites that are acceptable for student accommodation are in very many cases capable of being suitable housing sites, so the loss of potential affordable housing accommodation that results from a site not being developed for housing should be compensated for. Furthermore, student accommodation generates its own affordable housing need, as usually low paid jobs are required to service it such as cleaners and wardens. Furthermore, additional students create a need for additional ancillary staff at the institutions they study at.

- 5.4 Affordable employer-linked housing was conceived of as a way to help meet a particular housing need in a specific set of narrow circumstances, as is discussed in relation to the first question of this Matter, below.

Whether the Plan's approach towards the provision of employer-linked affordable housing is proportionate and in accordance with national policy.

- 5.5 The sectors driving the unique economic and social profile of Oxford also happen to be significant employers and with a substantial physical presence in the city and its environs. This working population is comprised of not only the high profile specialist roles but also the numerous support roles and services that allow such innovation to happen as well as people that are often public sector employees who ensure provision of the essential services that allow the city to function. Many of these workers are unable to afford market housing or even private rented accommodation in the city and if they take a job in the city they are faced with long and expensive commutes. Recruitment and retention problems due to affordability and housing issues are some of the most consistently raised concerns of businesses in Oxford. Finding a way to assist employers with recruitment and retention problems supports the Local Plan objectives in three ways: economically (productivity of the employer and local investment); through housing (provision of affordable housing); and sustainability (opportunity to live closer to place for work, increased energy efficiency and reduced emissions).
- 5.6 In developing policy H3, the Council maintained several clear objectives;
- Developing a new planning policy approach that allows/encourages/incentivises key employers/partners to use their land and resources to help meet some of their own (affordable) housing needs and helps delivers those with pace

- Developing an approach that embodies affordability and access for a diagonal cross-section of employees/staff – not just to attract ‘celebrity academics’
- Developing a policy approach that doesn’t mean significant numbers of housing sites/opportunities for ‘traditional’ affordable housing delivery were also lost
- Developing an approach where the amount of social rented housing supply ‘lost’ from suitable sites for the sake of employer-linked affordable housing is minimised.

The Employer-linked housing background paper (BGP.8) contains the relevant evidence that justifies the specificity of the policy approach, including a labour market profile for Oxford that shows the distribution of jobs across the key economic sectors, an index of affordability of housing in Oxford relative to neighbouring districts and potential negative impacts that could arise in the absence of the proposed policy.

- 5.7 The largest employers in key sectors of the local economy were consulted for early input to the development of this policy, as they collectively held notable landholdings in the city; their employees would be the direct beneficiaries of any policy once implemented; and in order to best understand their needs and shape a mechanism that could help them deliver affordable housing on their own named sites, whilst also meeting the aspirations, ambitions, and objectives of Oxford City Council and the Local Plan. Among those that engaged with the consultation there was general support for the overall approach and its objectives. A number did not put forward sites for consideration as they did not consider a policy to be relevant to their circumstances. BMW for instance has landholdings concentrated around their manufacturing operations and did not consider it appropriate for it as a manufacturer to become involved in delivery of employer-linked housing, which would be within the curtilage of their industrial site.
- 5.8 Responses received to this direct engagement of main employers in the city helped inform the drafting of the policy and the sites listed in Appendix 3.4 of the Local Plan. The policy is not intended to be applied as a blanket measure to all employer-held land. It is available as an option rather than being a requirement that housing on those sites is delivered in this way and it applies only to specific sites identified in collaboration with the interested landowners for their suitability, availability, and potential capacity to cater to the housing needs of employees. Appendix 3.4 of the Local Plan lists the sites that have been deemed to be appropriate for use as employer-linked housing under the criteria of the policy. All the sites are under the ownership and control/management of the employers and tend to be located in close operational proximity to the relevant place of work. Consideration was also given to sites that are subject to factors that would make it unlikely for them to be brought forward for market housing, such as their siting within a city centre University campus or within a mixed development including operational uses like a hospital site. This was partly with the intention of encouraging

housing development on sites which landowners had previously been slow to bring forward. Whilst the sites may be capable of accommodating general market and affordable housing, the landowner and likely remaining uses mean that they are less likely to be brought forward for that use. The only potential exceptions are the County Council sites. The list allows for one of the County Council's sites to be brought forward. These are not sites that accommodate County Council offices but the inclusion in the list acknowledges the significant difficulties the County Council has had in attracting social care workers in particular, and also acknowledges the County Council's stated willingness to explore opportunities for it to meet housing needs of its staff.

- 5.9 In order to be most effective for the potential beneficiaries, Policy H3 requires that the entirety (100%) of housing delivered in this way be occupied by employees that meet the requirements of the affordable housing approach as agreed by the council, and for these to be available in this specific form of tenure of rent in perpetuity. Such provision will be included within the applicable affordable housing requirements for developments of an appropriate size, and there would be no additional financial contribution required by the developer. The developer would be required to sign up to a legal agreement to ensure that the housing remains as social rented housing in perpetuity. This guarantee would be assured through a section 106 agreement that would be signed between the applicant and Oxford City Council as part of the granting of planning permission. In the event that market housing or student accommodation is being delivered as part of a development comprising of employer-linked housing, the requirements of policy H2 would apply to those elements.

[Soundness of the approach to employer-linked affordable housing](#)

- 5.10 The use of a legal agreement is considered by the Council to be the most appropriate means of ensuring that any employer-linked affordable housing provided through policy H3 is used for the intended purpose. It would be unacceptable to have no restrictions on occupation or no suitable review mechanism as set out in the policy. We consider that being clear that we would require a legal agreement to enforce that the housing built was being delivered at an affordable rate for employees, helps make the Policy effective and clear about how it will address the needs for which it was developed. Without the ability to ensure the employer-linked affordable housing is developed and maintained for the intended use at appropriate rent levels then there is a risk this policy could be misused as a work around to avoid affordable housing obligations required by other policies of the Local Plan.

- 5.11 A number of objections were received during the Regulation 19 consultations, and a common point of contention was the potential level of control and approval that the Council would have on an employer's affordable housing scheme. Specific objections have been received to aspects of policy criteria (f), (g) and (h) which address the terms of the legal agreement that would direct the implementation of the policy on specific sites. There was also disagreement on the terms and timings of transfer of housing stock that are vacant or no longer required as affordable housing to make available to the housing register. A prevailing view was that such terms should be negotiable and that subjecting all aspects to a fixed legal agreement would make the approach unsound.
- 5.12 While the Council is of the view that the policy approach is sound, a suggested modification has been explored with the County Council and the University of Oxford in order that the criteria are set out in clearer language, particularly the relationship with other policies in the Plan. A further clarification has been added to state that the policy requirements would be assessed and determined at planning application stage.

Changes proposed to ensure soundness of Policy H3

- 5.13 A change was proposed to policy H3 in order to address the concerns of the County Council regarding the lack of clarity in the policy criteria, particularly the uncertainty about the mechanisms and timings for the reversion to the market of dwellings that may no longer be required as part of the employer linked scheme.

Policy H3: Employer-linked affordable housing

Planning permission will be granted on specific sites (as listed in Appendix 3.4) for affordable housing for rent. On these sites an affordable housing approach will need to be agreed with the Council setting out how the proposed affordable homes will be developed and managed by the employers (or their development partners on their behalf) to meet the housing needs of their employees. Where this policy is applied the standard affordable housing requirements of Policy H2 will not apply, except to any market housing element on the site, or under those circumstances identified under criterion h).

All the following criteria must be ~~met~~ demonstrated as part of the planning application and will be secured through any relevant planning permission to apply this policy:

- a) the employer has an agreed affordable housing approach in place setting out access criteria and eligibility, rent policy and rent levels, approved by the City Council, with an appropriate review mechanism in place and reviewed every five years; and*

- b) 100% of the housing should be available to be occupied by those employees who meet the requirements of the affordable housing approach agreed with the council and be available in perpetuity; and
- c) the occupation of such housing will be limited to households where at least one member works for the employer linked to the site (for the duration of their employment). This also applies to social care workers who work for but are not employed directly by Oxfordshire County Council and to some NHS staff; and
- d) an occupancy register should be kept and made available for inspection by the City Council at any time; and
- e) planning applications must be accompanied by a detailed explanation and justification of the approach proposed and the mechanisms for securing the requirements of this policy.

A legal agreement will be required to secure the benefits of this policy. In addition the legal agreement will be used to:

- f) agree the allocations policy;
- g) ~~ensure that in periods~~ agree an appropriate re-letting of units the property where there are vacant units for more than 6 months ~~the employer works with the City Council's housing team who will ensure those units are offered to those on the housing register;~~
- h) agree that if the employer finds ~~finds~~ decides they no longer have a need for the housing, the affordable housing requirements detailed under Policy H2 will be applied. 50% of the housing must be managed by a Registered Provider or the City Council's housing company, with 40% retained for social rent.

Whether the Plan's policies facilitate the provision of enough homes for older people, people with disabilities and other specialist forms of accommodation.

Provision of homes for older people, people with disabilities and other specialist forms of accommodation

5.14 Chapter 3 of the Oxford Local Plan 2036 includes policies that seek to facilitate the delivery of housing that is suitable for the needs of residents that have limitations on their mobility due to age, illness or disability. A distinction has been made between accessible homes that are suitable for use by a wide range of the population regardless of their mobility, and the provision of specialised or sheltered accommodation to provide specialist care for the elderly.

Building Regulations context

- 5.15 The minimum standards for accessibility are as set by Building Regulations, which Local Authorities have the option to exceed subject to evidence that this is required for their local area. Part M of the Building Regulations sets a distinction between wheelchair accessible (a home readily useable by a wheelchair user at the point of completion) and wheelchair adaptable (a home that can be easily adapted to meet the needs of a household including wheelchair users) dwellings. Where enhanced requirements beyond the minimum are to be implemented, they are only to be in reference to Requirement M4 (2) (Category 2) and/or M4 (3) (Category 3) of the optional requirements in the Building Regulations.
- 5.16 Optional requirement M4(2) will be met where a new dwelling makes reasonable provision for most people to access the dwelling and incorporates features that make it potentially suitable for a wide range of occupants, including older people, those with reduced mobility and some wheelchair users. Optional requirement M4(3) will be met where a new dwelling makes reasonable provision, either at completion or at a point following completion for a wheelchair user to live in the dwelling and use any associated private outdoor space, parking and communal facilities that may be provided for the use of the occupants.
- 5.17 Categories 2 and 3 (M4 (2) and M4 (3)) are optional standards which apply only where a local authority, through its local planning policies, “has determined that higher standards can be justified on the basis of need and provided the viability of development is not compromised.”

Accessible and adaptable housing

- 5.18 Policy H10 addresses accessible and adaptable housing. The approach chosen by the Council is to focus on the delivery of a sufficient amount of housing that is as accessible and adaptable to the needs of as wide a range of the population as possible. The Accessible and Adaptable Homes Background paper (BGP.15) contains the demographic and empirical evidence that provides the justification for the approach of this policy. The main findings are summarised briefly as part of this response.
- 5.19 There is a range of data available that builds a demographic profile of the population of Oxford, with respect to age, economic activity and disability status. From this it is possible to form a picture of the proportion of residents who could potentially benefit from the provision of residential accommodation that is adapted to allow for as much independence as possible, even if they are not necessarily disabled. It is expected that the trend of Oxford having a younger population than average is set to continue; however with people living longer the number of older residents will increase, as would

the proportion among the city population. Accordingly their needs with respect to housing and the provision of suitably adapted spaces are expected to grow. A suitable policy is required to ensure that sufficient provision is made to accommodate this need.

Year	65-69	70-74	75-79	80-84	85-89	90+	Totals	% of city population
2016	5500	4300	3200	2600	1700	1200	18500	11%
2021	5400	5000	3800	2700	1800	1200	19900	12%
2026	5900	5000	4500	3200	1900	1300	21800	13%
2031	6800	5400	4400	3700	2200	1400	23900	14%
2036	6500	6200	4800	3600	2600	1500	25200	15%

Table 1: Oxford Housing led population forecast in 5 year bands ((Source: Oxfordshire Insight: <https://insight.oxfordshire.gov.uk/cms/revised-occ-5-year-age-bands-district-level-housing-led-forecasts-apr18>)

5.20 The data on disability indicates that the need is present across all age groups, with 12.4% of the total resident population directly affected by disability (see Table 2). Proportionally residents aged 65 years or older are more affected, with half of this population cohort reporting at least some level of limitation in carrying out daily activities. If this proportion remains constant, it would be reasonable to expect that there will be an increase in the absolute numbers of city residents that will have some level of restriction on their daily activities.

Age	Day to day activities limited a little	Day to day activities limited a lot	Not limited
0 - 15	512	302	24367
16 - 49	3798	2024	85164
50 - 64	2219	1700	15180
65+	4183	4113	8344
S/Total	10712	8139	133055

Table 2: Oxford disability figures by age group (Source: Census 2011)

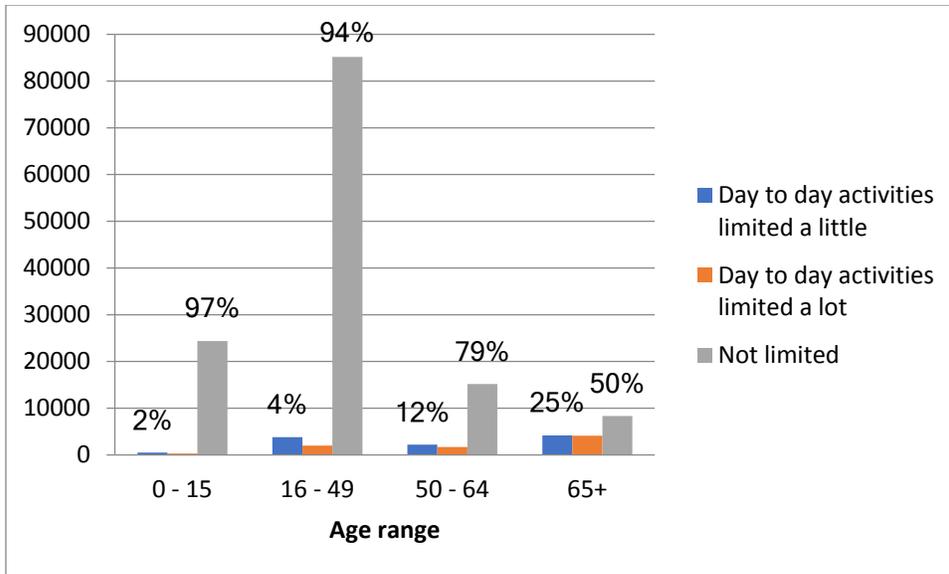


Figure 1: Proportion of disabled people in Oxford (Source: Census 2011)

5.21 The requirement for all affordable housing to meet the Category 2 standards was based on the recognition that people who have restrictions on their mobility are more likely to be in need of affordable housing than the wider population. This was inferred from the tendency for local authorities and health authorities to bear much of the cost of adapting housing and re-housing people who are disabled. An indicator is the issuing of Disabled Facilities grants, provided for people who are disabled and need to make changes to their homes. The figures show that the clear majority of such applications come from people in social rented accommodation.

	Cherwell	Oxford City	South Oxon	Vale of WH	West Oxon	Not Recorded	Un-known	TOTAL	
Owner Occupier	89	4	62	38	53	164	13	423	36%
Private Rented	9	1	2	8	5	16	1	42	4%
Social rented	88	178	93	76	62	180	20	697	59%
Not recorded	4	1	5	4	1	13	1	29	2%
Total	190	184	162	126	121	373	35	1,191	100%

Table 3: Applications for Disabled Facilities Grants Jan to Dec 2017 (Source: Oxfordshire Insight JSNA 2018 c:7 <http://insight.oxfordshire.gov.uk/cms/joint-strategic-needs-assessment>)

5.22 A number of objections were received at Regulation 19 stage, that considered as unjustified the requirements for all affordable dwellings and 15% of market dwellings to meet M4 (2) accessibility standards and for 5% of all dwellings to meet M4 (3) standard, on the grounds that the criteria would have an impact on the viability of market housing schemes in particular. A potential conflict with national policy was also pointed out. A representation cited Paragraph 56-009, which states that 'Local Plan policies for wheelchair accessible homes should be applied only to those dwellings where the local authority is responsible for allocating or nominating a person to live in that dwelling'. This was acknowledged by the Inspectors and they have recommended that the policy text be amended in order to remove this potential conflict as well as address the viability concerns.

Housing for older persons and specialist accommodation

5.23 Policy H11 addresses the provision of elderly persons and supported/specialist care accommodation. The Plan is generally supportive of the provision of additional extra care or elderly persons accommodation, provided they are well designed and located so that they have access to local facilities and are well integrated into the community. However the Oxfordshire SHMA 2014 determined that there is relatively little need for additional provision of such accommodation as there is sufficient provision for elderly persons accommodation relative to the level of demand in Oxford (para 8.24). The level of demand is also not expected to increase due to changes in allocations/nominations policy and provision of services in the community, including home adaptations. While this is the case at the present time, it is expected that over the Plan period there would be required additional provision in line with population increases.

5.24 The policy approach therefore is to protect existing extra care accommodation unless there is a suitable replacement elsewhere or if it is shown that it is surplus to requirements. The Council believes that this approach is justified and appropriate when in consideration against the overall evidence and reasonable alternatives that may be pursued on the basis of that evidence. In the context of the other policies in the Plan, it would be an effective strategy in ensuring that the needs of older people are adequately responded to while balancing other competing needs.

Changes proposed to ensure soundness

5.25 At the request of the Inspectors a change has been proposed to the wording of policy H10 to improve the clarity of the text and to avoid placing an inequitable burden of the policy requirements on smaller sites. A further amendment has been included to reflect

national policy (PPG paragraph 005 – 009). In addition, on further reflection we acknowledge that the requirement for 15% of dwellings to meet Category 2 standard places a disproportionate burden on small developments. Although we do not consider this represents a significant burden, we do propose a modification in order to avoid this disproportionate burden. For consistency with other policies a threshold of sites of 10 or more dwellings is proposed.

Policy H10: Accessible and adaptable homes

Proposals for residential development should ensure that all affordable dwellings and 15% of general market dwellings on sites of 10 or more dwellings are constructed to the Category 2 standard as set out in the Building Regulations Approved Document M4. 5% of ~~all~~ dwellings on sites of 20 or more dwellings that include on-site affordable housing where the City Council is responsible for nominations of 4 or more dwellings should be provided to Category 3 standards ~~or at least 1 dwelling for sites below 20 units~~.

5.26 No modifications have been proposed for policy H11.

Whether the Plan's approach to the provision and location of student accommodation is sound

Local Plan approach to the location of student accommodation

5.27 Chapter 3 of the Oxford Local Plan 2036 includes policies that seek to manage and provide for student accommodation that has been identified to be needed over the plan period. Policy H8 sets out a number of criteria that seek to ensure that the impacts of student accommodation are managed, including by ensuring it comes forward in suitable locations. These locations are listed as on or adjacent to an existing university or college campus or academic site, in the city centre or a district centre or on a site which is allocated for student accommodation.

5.28 The approach of the Local Plan locational restriction in Policy H8 is an extension of the approach in the Sites and Housing Plan Policy HP5, although that policy also allowed for student accommodation on sites adjacent to a named main thoroughfare. In the Preferred Options Document (PCD.2) and in the SA we considered options for balancing housing needs, including having no restriction on the location or occupation of student accommodation. 74% of over 1000 respondents agreed or strongly agreed with having some restriction.

Soundness of the Local Plan approach to the location of student accommodation

- 5.29 The locational restriction in Policy H8 is particularly important because it helps to balance demands on space in the city as well as ensuring purpose built student halls are only developed in suitable locations and that they do not saturate the housing market in the city. The locational approach is not considered to prevent student accommodation needs being met. This is explained in more depth in the section below about the provision of student accommodation.
- 5.30 The restriction is considered to be consistent with the NPPF, justified and effective. The principle is incorporated into other Local Plans, including Reading as explained in paragraph 2.7 of OCC.2 (the Reading Local Plan was adopted on 4th November 2019). As stated in paragraph 15 of the NPPF, the planning system should be genuinely plan-led; plans should provide ‘a framework for addressing housing needs and other economic, social and environmental priorities...’. The locational restriction is an important way to ensure housing needs are managed through a genuinely plan-led system. The restriction balances various housing needs and ensures purpose built student accommodation only comes forward in suitable locations. The benefits of the locational restriction are set out in paragraph 2.8 of OCC.2. Paragraph 2.9 sets out the reasons that student accommodation is not suitable in all locations. The paragraph also explains why main thoroughfares are no longer listed as suitable locations for student accommodation, as they were in Policy HP5. It is worth noting that the newly opened Parade Green student accommodation, on Hollow Way, has been causing neighbours to make complaints about the impact of such large numbers of students on their neighbourhood. The development is next to what was a listed main thoroughfare and would be prevented by Policy H8. Predominantly residential neighbourhoods, removed from main campuses and also removed from facilities that students use, are often not suitable for student accommodation. Being removed from nearby facilities may lead to an increase in the numbers of students using the communal outdoor space and staying late within their accommodation instead of going out. If they do go out they often rely on buses and all arrive back en masse, creating more noise than if they were coming and going more independently of each other. OCC.2 in response to question 2 provides further detail about the reasons for Policy H8.
- 5.31 There are considered to be sufficient student accommodation sites within the trajectory to meet need. This is demonstrated in OCC.11, which lists all student accommodation sites in the trajectory and discusses known accommodation needs. The sites where student accommodation is allowed are enough to meet expected demand for student accommodation, so Policy H8 should not be loosened any further to conflict with delivery of housing to meet affordable housing and other housing needs. Oxford

Brookes University has said that the locational restriction will prevent them being able to have enough student accommodation under its control to meet the student threshold set in Policy H9. Oxford Brookes has recently suggested in conversation with City Council officers that they may not bring forward student accommodation on their sites as listed in Table 3 of OCC.1I. There is some headroom in the student accommodation in trajectory that is likely to come forward as speculative accommodation (i.e. by a developer as yet unknown and not by one of the universities) to deal with increased needs from Brookes or other unspecified institutions. Also, the locational policy would not preclude further accommodation coming forward in appropriate locations allowed for by the policy. So the Plan is flexible enough to deal with changes and increased demands in line with an appropriate strategy justified by the evidence and assessed against alternatives.

- 5.32 A few other objectors have referenced particular sites that they consider should be allowed to deliver student accommodation, but which are prevented from doing so by Policy H8. OCC.1I lists the number of sites that have been put forward at Regulation 19 for student accommodation that have not been allocated for that use because of the locational policy (Table 5). This lists six sites. Three of these (SP41: Jesus College Sports Ground, SP44: Lincoln College Sports Ground, SP53: OUP Sports Ground) are discussed under Matter 6. Park Farm is discussed under Matter 3. A Statement of Common Ground has been agreed with Magdalen College in relation to SP19: Land surrounding St Clement's Church which agrees that the site should have been considered adjacent to the college and proposes a modification (COM.9). The Gladiator Club is the remaining omission site. This site was put forward for student accommodation during the Regulation 19 consultation. It had not been submitted previously through the call for sites. Policy H8 would not allow for new student accommodation on the site. This is to prevent the spread of student accommodation along arterial roads, where it is often already highly concentrated. Furthermore, the site has community use currently and this loss would need to be justified or compensated for. The site is not required in order for the universities to reach their threshold targets set in Policy H9. Therefore, an allocation of the site for student accommodation is not supported.
- 5.33 In addition to the few sites that have been put forward for student accommodation that would be prevented from bringing that use forward by Policy H8, Table 2.2 of OCC.2 lists all of the sites in the housing trajectory that are in locations that would be prevented from delivering student accommodation (including those that have been put forward for that use). This table also explains why each of these sites would not be considered suitable for student accommodation. Without the locational restriction any of these sites could come forward for student accommodation rather than housing. Student accommodation is frequently the most profitable land use in the city, partly because there are no onsite affordable housing requirements, no public open space

requirements and lower private amenity space requirements; also demand is high, especially with the lifting of criterion b of H8. The sites shown in Table 2.2 of OCC.2 have the potential to deliver 3,180 homes, and therefore potentially 1,590 affordable homes. They are of considerable importance to meeting housing need in the city. The rest of the housing trajectory includes sites either likely to or with potential to deliver student accommodation. Therefore, given that enough accommodation is likely to be deliverable for the universities to meet their needs within the criteria of Policy H8, and given that removing the restriction would have consequences in terms of the impact of student accommodation and the loss of potential affordable housing, Policy H8 is considered to be justified and effective.

- 5.34 A number of objectors raised the issue of the enforceability of the management requirements, and the Inspectors also raised this in Question 2 of IC.2. The City Council set out in their response (OCC.2) the enforcement mechanisms that may be employed and which ensure the effectiveness of the policy (paragraph 2.13-2.19).

Local Plan approach to the provision of student accommodation

- 5.35 Policy H9, alongside Policy H8, is intended to ensure that the impact of university student accommodation needs in the city is effectively managed. The Policy reflects a long-standing policy approach (since the 1991-2001 Oxford Local Plan, adopted 1997), which has operated successfully to ensure that increases in students at the universities has been matched by equivalent increases in university-provided accommodation, reducing the pressures of students on the housing market. Background paper BGP.21 (student accommodation) and OCC.1I explain the purpose and effects of this approach. The thresholds in Policy H9 are re-based from those in the Core Strategy Policy CS25. There has also been a change in the definition of the type of students that will be captured by the policy, in recognition of the changing accommodation needs of the student population. This is explained in paragraph 9.15 of OCC.1I. The thresholds are set to be achievable, as set out in paragraph 9.10 of OCC.1I and the setting of the thresholds is explained and justified throughout OCC.1I and below.

Soundness of the Local Plan approach to the provision of student accommodation

- 5.36 The NPPF states the Government's objective of significantly boosting the supply of homes and stresses the importance of bringing forward a sufficient amount and variety of land where needed (paragraph 59). Planning policies are required to identify and reflect the variety of sizes, types and tenures of homes that are needed for different groups within the community – including, among others, students (paragraph 61). The Planning Practice Guidance provides further details about how to address student accommodation needs. Paragraph 004 (reference ID 67-004-20190722) of the Housing

needs of different groups Planning Practice Guidance (PPG) published in July 2019 states that: *“Strategic policy-making authorities need to plan for sufficient student accommodation whether it consists of communal halls of residence or self-contained dwellings, and whether or not it is on campus. Encouraging more dedicated student accommodation may provide low cost housing that takes pressure off the private rented sector and increases the overall housing stock. Strategic policy-making authorities are encouraged to consider options which would support both the needs of the student population as well as local residents before imposing caps or restrictions on students living outside university-provided accommodation. Local Planning Authorities will also need to engage with universities and other higher educational establishments to ensure they understand their student accommodation requirements in their area.”*

- 5.37 Information from the Universities, as well as the Assessment of Student Housing Demand and Supply for Oxford City Council (ECO.19) has informed the drafting of Policies H8 and H9. It is considered that enough student accommodation can be provided to meet needs within the requirements of H8 and H9. The threshold set in Policy H9 has only been set after having assessed the needs of students against other groups. The strategy is considered to be the most appropriate strategy to balance needs. Evidence indicates that the threshold can be met.
- 5.38 OCC.1I provides justification of the approach in H8 and H9. This demonstrates that, within the constraints of the locational restriction in Policy H8, there are sufficient sites within the trajectory to meet the anticipated need for student accommodation. Table 2 summarises the sites identified in the housing trajectory that are likely to deliver new student accommodation for the University of Oxford. The sites in this table are generally owned by the collegiate university. Carpenter’s Yard is listed even though it is not owned by the collegiate university. It was included in this table because Frontier Estates made a representation under Regulation 19 that put this forward as an omission sites and said they were working in partnership with three Oxford Colleges. However, now that the Inspectors have provided a view (in IC.1C) that the occupation restriction in Criterion b) of H8 should be deleted (that required new purpose built student accommodation to be restricted in occupation to university students), there is nothing particularly linking this site to the University of Oxford and it should be listed in Table 4 of OCC.1I. Table 4 lists sites identified in the housing trajectory as likely to deliver new student accommodation for an as yet unspecified institution. Table 3 lists sites identified in the housing trajectory as likely to deliver new student accommodation for Oxford Brookes University. Paragraph 9.25 of OCC.1I also refers to recently opened new purpose built student accommodation, which is already providing rooms to help meet student accommodation needs.

- 5.39 The University of Oxford supports Policy H9. Oxford Brookes has said that the threshold for Oxford Brookes cannot be met, for reasons including commercial decisions around other campuses on the edge of Oxford that may affect numbers in the city, although we are awaiting written confirmation and evidence of this likely impact. Table 3 of OCC.11 shows sites that we understood are likely to deliver new student accommodation for Oxford Brookes University. Oxford Brookes has recently suggested to the City Council that Oxford Brookes Marston Road Campus (SP51) is no longer in their plans for redevelopment and they are uncertain over the amount of development it will bring forward at Clive Booth Student Village, or the timing of it. However, the threshold was not set in expectation of these sites and we consider there to be sufficient headroom in speculative accommodation as well as that already provided by or for Oxford Brookes to achieve the threshold. Also although there is a locational restriction, within this are extensive areas where further student accommodation can be delivered. At this point Oxford Brookes has not provided any information to counter that which has already been provided and that informed the policy; they have not provided any information that would inform the setting of a different threshold. The threshold is intended to be achievable and we consider that, on the basis of available evidence, it is achievable.
- 5.40 Data supplied by Oxford Brookes to assist with the City Council's annual monitoring of Policy CS25 also included information about the number of students who meet the new definition applying to the threshold in Policy H9, i.e. full-time taught course students. This showed that there are 8,974 students who meet this definition (in the 2018/19 monitoring period, data from 1st December 2018). This compares to 5,201 available places in university managed accommodation. This means that 3,773 students would be assumed to be living outside of university-provided accommodation (in 2018). This is above the threshold in the Oxford Local Plan 2036; however, whilst student numbers data is not available to the City Council for 2019 yet, if it is assumed that the trend of no increase or in fact a decrease in student numbers has continued (there was a reduction of 409 students at the university between 2017 and 2018), the threshold according to the new definition in Policy H9 should be met easily at the current time given that Parade Green halls of residence (Former BT site, James Wolfe Road) opened this September with 887 student rooms available for Oxford Brookes students. For a short time this will be partially covering the 242 rooms at Paul Kent Hall that are closed for refurbishment. However, by 2022 it is expected that the threshold of 3,000 can be met, with substantial headroom to cover unexpected changes in student numbers or changes to Oxford Brookes' estate programme. The drop in the threshold was partially in acknowledgement of the significant site at Parade Green being in the pipeline.
- 5.41 The needs of other academic institutions for student accommodation are harder to identify. In the past these institutions rarely made use of speculatively built student accommodation, because either boarding accommodation on their own sites or use of

homestay and out of term letting of university student accommodation was sufficient. Increasingly, institutions other than the universities have been making use of speculative purpose built student accommodation. OCC.2 (the City Council's response to IC.2) discusses the reasons for the occupancy restriction. Table 2.1 of OCC.2 shows the identified speculative student accommodation not taken by the two universities since adoption of the Core Strategy. The Inspectors conclude in IC.2A that the occupancy restriction is not sound and must be removed. A proposed modification is set out in the following section at paragraph 5.45.

- 5.42 The Assessment of Student Housing Demand and Supply for Oxford City Council (ECO.19) attempts to assess any need for student accommodation arising from educational institutions other than the university. It did this by surveying institutions about their current accommodation needs and future plans for expansion. Not all institutions responded and expansion plans are difficult to predict and aren't necessarily going to translate into increases in accommodation because they will be affected by many external factors including the economic climate.
- 5.43 The accommodation needs of institutions other than the university it is anticipated can be met within their own sites, through other means of accommodation such as use of university halls in the summer and homestay and new sites allowable under Policy H8. The predicted needs of the universities can be met by sites identified in the housing trajectory as likely to provide student accommodation, based on an understanding of likely accommodation needs, with some headroom. There are also sites in the trajectory not specified for either university that will help meet additional needs or needs of other institutions. Furthermore, Policy H8 does not preclude further accommodation coming forward in appropriate locations allowed for by the policy. Therefore, the Plan is flexible enough to deal with changing needs and increased demands in line with an appropriate strategy justified by the evidence and assessed against alternatives. We consider that the setting of a threshold in H9 is well-established, shown to be effective and justified by the need to manage the impacts of students. As required by the PPG (Paragraph 004 (reference ID 67-004-20190722) of the Housing needs of different groups), the restriction has only been proposed on the basis of a thorough understanding of the universities' likely accommodation needs (as set out in OCC.1).

Changes proposed to ensure soundness

- 5.44 The Inspectors, in IC.1C have provided a view that criterion b of Policy H8 must be deleted in order to ensure soundness. The Inspectors have raised the issue that it is not sound for the Plan to introduce a restriction on the basis of the nature of the occupant

and have provided a concluded view in IC.1C that criterion b of Policy H8 must be removed. This proposed modification is as follows:

Policy H8: Provision of new student accommodation

Planning permission will only be granted for student accommodation in the following locations:

- on or adjacent to an existing* university or college campus or academic site, or hospital and research site, and only if the use during university terms or semesters is to accommodate students being taught or conducting research at that site; or*
- In the city centre or a district centre; or*
- On a site which is allocated in the development plan to potentially include student accommodation.*

Planning permission will only be granted for student accommodation if:

a) student accommodation will be restricted in occupation to fulltime students enrolled in courses of one academic year or more; and

~~*b) new student accommodation (other than accommodation developed by an institution on a campus site) will be restricted in occupation in perpetuity to students attending the University of Oxford, Ruskin College or Oxford Brookes University; and*~~

~~*b*~~*e) for developments of 20 or more bedrooms, the design includes indoor communal amenity space for students to gather and socialise; and*

~~*c*~~*d) a management regime has been agreed with the City Council that will be implemented on first occupation of the development (to be secured by a planning obligation); and*

~~*d*~~*e) the development complies with parking standards that allow only operational and disabled parking, and the developer undertakes and provides a mechanism to prevent residents from parking their cars anywhere on the site, and anywhere in Oxford (unless a disabled vehicle is required), which the developer shall thereafter monitor and enforce; and*

~~*e*~~*f) a management strategy is agreed if it is intended there will be occupants other than students of the named institutions outside of term times.*

Planning permission will not be granted for developments that would lead to the loss of student accommodation unless new student accommodation is available for occupancy, within a reasonable and acceptable timeframe, by students of the same university or institution. New accommodation should be equivalent in amount, mix and affordability to the rooms being lost.

**An existing university or college campus or academic site is one that exists at the time the Plan is adopted.*