

## Matter 6: Specific sites

**Whether the Plan's site allocation policies are positively worded enough to encourage the delivery of beneficial development on the sites concerned and whether they would allow for sufficient flexibility in the face of future changes in circumstances.**

1. South Oxfordshire District Council considers the site allocation policies not to be positively worded enough to encourage the delivery of beneficial development or to allow enough flexibility to take account of future changes in circumstances. The following wording is too restrictive.

*"Planning permission will only be granted for..."; and  
"Planning permission will not be granted for any other uses."*

2. The inflexibility of this wording makes it increasingly important that the specific uses or prescriptive mix of uses permitted are supported by robust evidence and that all reasonable alternatives have been assessed as part of the plan-making process. It needs to be demonstrated that no other realistic options for the development of the sites exist, specifically the option to deliver residential development or a greater amount of residential development. The District Council considers that not all realistic options have been considered, particularly maximising residential development over and above other uses, and that the narrow range of uses permitted by these policies are not supported by robust evidence.
3. Some of the specific land uses being permitted have not been operational on the sites for years and there is not clear and robust evidence to demonstrate that the specific uses permitted, or prescriptive mix of uses are still viable. In some cases, there is competing evidence to demonstrate that the specific uses permitted, or prescriptive mix of uses permitted are unviable. By permitting only these specific uses or a prescriptive mix of uses on these sites with no flexibility, the District Council considers there to be less certainty that the sites are developable and, therefore, a risk that vital residential development is not delivered.
4. The District Council recommends removing 'only' from the first sentence in every site-specific policy, to read:
  - a. *"Planning permission will ~~only~~ be granted for..."*
5. The District Council recommends removing the second sentence in its entirety.
  - a. ~~*"Planning permission will not be granted for any other uses."*~~

**Whether the Plan's approach towards the amount of development and the balance of land uses (and where relevant open space and sports provision) on the following sites is sound:**

**6A: Policy SP34: Canalside Land**

6. South Oxfordshire District Council supports the allocation of this site.
7. However, the District Council is concerned that the specific mix of uses permitted by Policy SP34 and the prescriptive set of requirements are unviable, subsequently risking the developability of the site and deliverability of vital residential development. The District Council considers the mix of uses permitted and requirements of Policy SP34 to not be supported by robust evidence.
8. The Canalside site in Jericho has been a long-standing allocation first identified in the Oxford City Local Plan 2001-2016. However, notwithstanding this, the justification for the list of requirements set out in Policy SP34 is unclear. The requirements appear to be based on a long-term aspiration by the City Council and local community to deliver these uses on the site rather than any supporting evidence that these uses are needed. Some explanation regarding the specific mix of uses required is set out in the Jericho Canalside Development Brief SPD (December 2013) (the 'Development Brief'). However, it appears that no further assessment regarding the appropriateness of these uses has been undertaken as part of this Local Plan-making process.
9. In summary, the requirement for a replacement operating boatyard and winding yard is to replace the deficiency created from the closure of the previous boat yard (Castle Mill boatyard), However, it is not referred to or recommended in the Oxford Boat Dwellers Accommodation Needs Assessment (July 2018) (HOU.7). The requirement for a community centre is not identified in the Retail and Leisure Study 2017 (RTL.1). The Development Brief explains that it is to replace an existing community centre that is not fit for purpose. However, it is not clear whether the existing community centre forms part of the site or, if not, what will happen to the existing building when it is replaced. It is hoped that it will be delivered for housing development. The requirement for a new bridge over the Oxford Canal for pedestrians and cyclists is not identified in the Oxford Transport Strategy (MOV.7). The Development Brief explains that the City Council consider that a new route across the canal at this site will provide a more direct route from Oxford Station to the major employment areas of the Radcliffe Observatory Quarter and Oxford University Press. However, it is important to note that the Inspector that examined the Sites and Housing Plan (2013) changed the requirement for 'a new bridge' to 'an improved crossing' as a bridge already exists north of the site.

10. Oxford City Council consider the requirements of the site to be essential to make development of the site acceptable, given the previous use of the site and the sensitivity of the area (IC2 – Question 37). However, there is no evidence to support this. It is also unclear how the requirement of a community centre and footbridge relate to either the previous use of the site or the sensitivity of the area.
11. In terms of viability, a mixed-use development scheme, which was considered policy compliant, had been previously approved on the site. However, this permission has lapsed, and a new application has not yet been submitted. The Oxford City Council Economic Viability Assessment (September 2018) (SUP.3) identifies Jericho Canalside as having a slightly reduced level of on-site affordable housing (40%) resulting from the policy requirements. In addition to this, the landowner, Cheer Team Corporation Ltd, state in their response to the Regulation 19 consultation that the permission hasn't been implemented as there remain issues with the viability and deliverability of the scheme approved. The District Council are, therefore, concerned that Policy SP34, as written, is unviable.
12. The District Council agree with the City Council that the site is suitable for housing and should be a housing-led development. The District Council would recommend that more flexibility is given to the mix of uses on this site, and specific requirements are only included where they can be justified by robust evidence.  
  
**6B: Policy SP39: Former Iffley Mead playing fields:**  
**6C: Policy SP41: Jesus College Sports Ground**  
**6D: Policy SP44: Lincoln College Sports Ground**  
**6E: Policy SP53: Oxford University Press Sports Ground**  
**6F: Policy SP65: Bayards Hill Primary School**  
**6G: Policy SP66: William Morris Close Sports Ground.**
13. South Oxfordshire District Council supports the allocations of these sites.
14. However, the District Council considers that the requirement for policies SP39, SP41, SP44, SP53 and SP66 to re-provide playing pitches and/or outdoor sports facilities is not clearly justified and that Oxford City Council's policy approach doesn't comply with national policy. The District Council is also concerned that there are inconsistencies between these policies. It is not clear why the requirements differ or, in the case of Policy SP65, why there is no requirement to re-provide the playing field lost.
15. As set out in the District Council's response to Matter 2, there is no up-to-date playing pitch strategy (PPS) which is unacceptable. Similarly, to Sports England, the District Council considers that until an up-to-date PPS is

completed it is unknown if the loss of playing field has been justified or not in accordance with Paragraph 97 of the National Planning Policy Framework (NPPF) and Sports England policy.

16. Interim findings of the Oxford Playing Pitch Strategy were prepared in March 2019 (GRS.11). However, these findings are not robust. As set out in our response to Matter 2 at paragraph 31, the interim findings are published as a draft without any published background evidence. There is no clarity on what assumptions have been made regarding population because the analysis has not been published for the participants of this examination to view.
17. Notwithstanding the above, the interim findings recognise that most of the sites referenced are inactive or sites without community use, and states that where there is community use on these sites it can easily be accommodated at other sites. It considers that development on these sites should provide investment back into existing sites so that there would be no negative impact on the city's ability to meet relevant demand. This would suggest that financial contributions towards the creation of new or the enhancement of existing outdoor sports facilities would be an acceptable policy approach.
18. The landowners of the former Iffley Mead playing fields (SP39) and William Morris Close Sports Ground (SP66) have prepared assessments to demonstrate that their sites are surplus to requirements. Regardless of whether the sites can be accessed by the public or not, both landowners consider the associated sports uses on their sites to be historic uses that have been abandoned. Oxford City Council do not appear to have challenged either of these assessments directly.
19. The City Council are seeking to address the deficiency in football pitch identified in the interim findings by securing community use at education sites and improving existing sites. They consider no playing pitch or former playing pitch in the city regardless of whether the facility is for public or private use to be surplus to requirements.
20. The District Council considers this approach – that no playing pitch or former playing pitch in the city is surplus to requirements – to not be consistent with national policy nor supported by robust evidence. Paragraph 97 of the NPPF clearly identifies that playing pitches can be demonstrated to be surplus to requirement. Also, the interim findings do not suggest that no playing pitch or former playing pitch in the city is surplus to requirements.
21. The District Council would recommend removing the requirement to re-provide playing pitches and/or outdoor sports facilities from individual site-specific policies as Policy G5 already sets out this requirement. The District Council would also encourage the City Council to consider sites in the Green Belt as offering potential for outdoor sports.

22. As set out in our response to Matter 2 at paragraphs 32 and 33, the District Council considers Policy G5 to not be compliant with national policy and would recommend the following amendments to ensure that it is compliant and to allow financial contributions to be sought as an alternative to the re-provision of pitches.

*Policy G5: Outdoor Sports*

*The City Council will seek to protect outdoor sports facilities.*

*Where development will lead to the loss of an outdoor sports facility **that is not surplus to requirements**, proposals must compensate for this loss with **equivalent or** improved provision in terms of quantity and quality.*

*Consideration will be given to the need for different types of sports pitches as identified in the ~~Playing Pitch Study~~. Any replacement provision should be provided in a suitable location equally or more accessible by walking, cycling and public transport, and accessible to local users of the existing site where relevant.*

**Where facilities can not be retained on-site a financial contribution towards the creation of new or enhancement of existing outdoor sports facilities will be sought.**

*The City Council will, where the opportunity to do so arises, seek public access to private and institutional facilities through sharing schemes and joint user agreements.*

**6F: Policy SP65: Bayards Hill Primary School**

23. South Oxfordshire District Council supports the allocation of this site.
24. Policy SP65 only permits employer-linked housing. However, there does not appear to be any robust evidence to not permit standard market housing being developed on this site. The District Council considers the narrow range of permitted uses to be unjustified.
25. The District Council would recommend amending the policy as shown below:

*Policy SP65: Bayards Hill Primary School Part Playing Fields*

*Planning permission will be granted for housing. ~~employer-linked housing only and planning permission will not be granted for any other uses.~~*

**6I: Policy SP42: John Radcliffe Hospital**

26. South Oxfordshire District Council supports the allocation of this site.

27. Policy SP42 only permits employer-linked housing and student accommodation. There does not appear to be any robust evidence to not permit standard housing being developed on this site. The supporting text lists general residential as a suitable complementary use, however it is missing from the policy. The District Council considers the narrow range of permitted uses to be unjustified.
28. The District Council agree that hospital uses should remain the main focus of the site. However, it is unclear why all uses must have an operational link to the hospital. Restricting the uses on site could hinder the redevelopment of the hospital and vital residential development from being delivered.
29. The Council would recommend amending the policy as shown below:

*Planning permission will be granted for further hospital related uses, including the redevelopment of existing buildings to provide improved facilities on the John Radcliffe Hospital Site. Other suitable uses ~~must have an operational link to the hospital and are:~~*

- *employment B1(b), B1(c) and B2;*
- *patient hotel;*
- *primary health care;*
- *employer-linked housing;*
- *education;*
- *academic institutional*

*Complementary acceptable uses are:*

- *student accommodation;*
- *small scale retail units provided that they are ancillary to the hospital.*

*~~Planning permission will not be granted for any other uses.~~*

*Careful design must ensure that development proposals contribute towards the character of the conservation area and preserve and enhance nearby listed buildings and their setting.*

*Development proposals must not prejudice bus access through the site. Improvements to public transport access and the reduction in car parking provision on site will be required, in accordance with Oxfordshire County Council's Local Transport Plan.*

*A drainage strategy will need to be produced by the developer in liaison with the City Council, Thames Water and the Environment Agency, to establish the appropriate drainage mitigation measures for any development. Planning permission will only be granted if sufficient drainage mitigation measures are incorporated into the design of proposals.*

## **6J: Policy SP52: Oxford Stadium**

30. South Oxfordshire District Council supports the allocation of this site.
31. However, the District Council considers the uses permitted by Policy SP52 to be too restrictive.
32. A Stage 1 Commercial Viability Assessment (March 2018) (SIT.4) has been prepared by Five Lines. The assessment sets out indicators that are considered to demonstrate that speedway and greyhound racing could be re-established on the site. However, the assessment clearly states that further exploration is needed to prove that this use is viable, specifically with regards to broadcasting rights that are an important source of income for greyhound stadia. The assessment concludes there to be critical success factors associated with the trading potential of the site which will need to be considered going forward. The District Council considers that this work should have been undertaken prior to the submission of the Local Plan in order to provide enough evidence to support a policy with such a narrow range of permitted uses.
33. Policy SP52 does permit other uses to be developed on site if further feasibility work shows speedway and greyhound racing not to be viable. However, it is not clear whether the alternative community and leisure uses allowed in this case would be viable on the site alone and no evidence has been prepared to support this.
34. It is also clear that re-establishing the speedway and greyhound racing uses on site would be dependent on the additional promotion of other non-race day uses such as conferencing, together with appropriate leisure related uses and community uses. However, it is unclear how these uses will work alongside what is aspired to be a regional venue and enabling residential development. Although, the Retail and Leisure Study 2017 (RTL.1) identifies some future need for leisure facilities, it clearly states that any new facilities should be directed to town centre locations first.
35. The landowner, Cowley Investments Ltd, has commissioned evidence that demonstrates that the uses permitted by Policy SP52 are not viable and further evidence to demonstrate that redevelopment of the site for housing is acceptable (all dated December 2018). The landowner also challenges the viability work prepared by Five Lines. However, Oxford City Council do not refer to the landowner's evidence in their answers to the Inspector questions (IC2) or challenge this evidence. It is unclear why this evidence does not meet the requirement of the policy to demonstrate that speedway and greyhound racing is not viable.

36. The District Council considers the uses permitted by Policy SP53 to be too restrictive and unjustified. It is also not evident whether the proposed uses are viable nor whether all realistic options have been considered for this site.
  
37. The District Council considers the site to be suitable for housing and would recommend that the policy is amended to permit a housing-led development that maximises the delivery of residential units on the site.