Hearing Statement: Bertie Park Policy SPS3

Oxford city council have agreed planning permission for Bertie Park under 2036 plan policy SP32. But permission has not been published, and will be subject to judicial review. Policy SP32 complied with national guidance when submitted, in that planning permission required re-provision of the recreation ground, including the MUGA, on an adjacent site. But before the 2036 plan was even examined, the council announced its intention to depart from policy and re-provide: "a new children's playground within the development, which would be open to the public." This is essentially what policy SPS3 commits to. SPS3 would appear to be an attempt to retrospectively legitimise the council's attempt to decimate Bertie Park recreation ground.

NPPF 103: Planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities. The most recent assessment of the need for open space, sport and recreation facilities is the Green Infrastructure Study (2022) which proposes the access standards below:

Table 12 Summary of open space access standards

Open Space Typology	Proposed Access Standard
Allotments	15 minutes' walk time (720m straight line)
Amenity Green Space (above 0.15ha)	10 minutes' walk time (480m straight line)
Parks and Recreation Grounds	• Local and Neighbourhood Parks: 12 – 13 minutes' (600m straight line) • Destination Parks: 20-minute walk time (960m straight line) for destination sites.
Children's Play Space	10 minutes' walk time (480 metres straight line)
Youth Play Space	15 minutes' walk time (720 metres straight line).
Accessible Natural Green Space (above 0.15ha)	15 minutes' walk time (720m straight line) + Natural England ANGSt

NPPF 135. "Planning policies and decisions should ensure that developments: a) will function well and add to the overall quality of the area, **not just for the short term** but over the lifetime of the development."

There are proposals to build 240 homes at Redbridge Paddock (outlined below in red), which will provide Children's Play Spaces, but no Youth Play Space. The diagram below shows proximity to Bertie Park:



Green Infrastructure Study Table 12 (p.51), shown above, clearly indicates the need for neighbourhood parks such as Bertie Park.

Residents of the Redbridge development would be 1.4km away from the nearest destination park, but 600m away from Bertie Park which currently provides youth play space in the form of a MUGA.

NPPF 104: OCC have admitted that, under their current proposals, reprovision of Bertie Park Recreation Ground will be neither equivalent nor better, but say that this is not important because there is reprovision. Under Policy SPS3 equivalent or better provision is not possible:

	2036 plan policy SP32	**2045 plan policy SPS3**
Number of homes	31	25
Decrease in area of recreation ground/%	90	minimum 80 #
Mitigation for loss of recreation space	250m "Nature Trail"* on adjacent site	None
MUGA reprovided	Yes	Not required □

* Note conflation of recreation and amenity green space as commented on during Stage 1 with reference to policy G1.

\# Unlikely to be more than 20% current size as the Environment Agency requires a 10m ecological buffer zone which is not respected by current proposals.

□ Thames Valley Police have highlighted problems arising from siting a MUGA so close to housing. This means that if the policy does not **require** a MUGA, there will be no MUGA.

Policy SPS3 requires "**adequate re-provision**" to meet **"needs"**. The Principal Planner clarified that, in the absence of a recreation policy (OCC consider their Green Spaces Strategy to be out of date), it would be the responsibility of the planning committee to determine whether needs were adequately met. What has happened to date is that officers have instructed planning committee (even under the revised NPPF!) that if a site is for social housing, this simply outweighs all other considerations, including need for recreation space.

It has been suggested that new play equipment will be better of better quality than current provision. Bertie Park is well-maintained, but under the threat of development, has had no major refurbishment for 20 years. OCC Parks Department, who have a rolling programme of refurbishment, have said that the condition of a play area can be seen as a "red herring" in the context of the proposals to develop the site.

Conclusion

The justification for building on Bertie Park is not that it is a suitable site, but that it is an allocated site. If, under plan policy SPS3, it is **not even possible** to meet government guidelines, then the policy should not be on the local plan.