

MOD	Policy / Paragraph	Comment made by GOSE	Officer response	Officer recommendation
-----	--------------------	----------------------	------------------	------------------------

APPENDIX 2; Comments made by Government Office for the South East on Proposed Modifications

General		In a number of places factual information has been up-dated but only to 2003. Where such information would not change the policy of the plan or its interpretation, but instead could assist plan users to understand current circumstances, it may be helpful to provide data closer to the date of adoption in the final version of the plan.	In response to this comment, the Proposed Modifications relating to factual updates have been checked to see if more recent information may be available. As a result, one further factual update has been identified. Annual Monitoring Reports will also provide updated factual information on a yearly basis.	Factual update to MOD 103 (paragraph 5.1.1) so that second sentence of the paragraph reads: "At <u>2005</u> , Oxford had 16 conservation areas, over 1,500 listed buildings, and eleven scheduled monuments."
MOD 14	1.9.3A Monitoring	The Annual Monitoring Report may lead to the conclusion that all or any part of the LDF requires alteration or replacement or that additional policy or guidance is necessary. Therefore, this modification would benefit from being amended to indicate the importance, and potential repercussions, of monitoring and the Annual Monitoring Report for the whole of the LDF not just parts.	MOD 14 is intended to clarify the text by making clear that monitoring may identify the need for more detailed guidance in relation to a particular part of the Plan through the publication of SPD's, development guidelines or an Area Action Plan. However, these will relate to saved policies in the Local Plan whilst it remains the adopted Development Plan. It may be confusing and premature to refer to the wider implications of monitoring for the LDF, which will replace the Local Plan in the longer term.	No change to Plan

MOD	Policy / Paragraph	Comment made by GOSE	Officer response	Officer recommendation
MOD 46	2.19.3B Lighting	<p>To be consistent with other Modifications, the penultimate sentence should perhaps state that the planning conditions will be 'appropriate' rather than 'easily enforceable'</p> <p>To assist plan users and manage expectations, it may be helpful to include text that explains that many forms of lighting/other forms of illumination do not require planning permission.</p>	<p>The Inquiry Inspector recommended a change to the wording of Policy CP.20 to amend the term 'easily enforceable' to 'appropriate' where referring to planning conditions. This reflects that Policy CP.20 sets out the tests to be applied with regard to a range of nuisance issues, in determining planning applications.</p> <p>However paragraph 2.19.3B (inserted by MOD 46 and supporting Policy CP.20A) refers specifically to conditions to control hours of external lighting, which by their nature will be easily enforceable. Furthermore, the Inspector endorsed the proposed wording of the paragraph.</p> <p>With regard to the second point, it is felt that the inclusion of explanatory text of the type suggested is not necessary to justify the Policy and would not be consistent with the Council's intention to prepare a succinct Plan.</p>	No change to Plan
MOD 53	2.22.1 Telecoms	<p>The text may benefit from qualification since not all future demands are/can be known, and hence applicants may not be able to demonstrate that they have made provision for them.</p>	<p>The Telecommunications Operators work to a voluntary Code of Best Practice, which requires them to consider site sharing opportunities, and encourages them to consider future network demands well ahead of application stage. It is therefore considered reasonable and appropriate to include a robust requirement for Operators to reasonably provide for any identifiable future demands (e.g. masts should be designed so that additional equipment can easily be added). Policy CP.24 provides a more specific policy test to this effect.</p>	No change to Plan

MOD	Policy / Paragraph	Comment made by GOSE	Officer response	Officer recommendation
MOD 55	2.22.5 Telecoms	To assist plan users and manage expectations, it may be helpful to qualify the ways in which public concern about health can be a material consideration.	The wording used in the final sentence of paragraph 2.22.5 corresponds closely to wording included in paragraph 29 of PPG8 (Telecommunications). The inclusion of this form of wording was the subject of objections dealt with by the Inspector at the Local Plan Inquiry; the Inspector however recommended no change to the proposed wording. Furthermore, an SPD will be prepared in due course to support Policy CP.24, which will provide more detail on Health and Radiation Impact Assessment, and the issues to be addressed. It should also be noted that the sentence added to paragraph 2.22.5 by MOD 55 is not actually a new sentence, but was moved from the following paragraph to add clarity.	None
MOD 118	HE.13 View Cones of Oxford	To assist plan users and avoid any misunderstanding, it may be helpful to include text that clarifies that policies HE12 and HE13 only apply to development proposals within the Oxford City administrative area.	All policies in the Oxford Local Plan are only directly relevant to planning proposals within the administrative area of Oxford City. However it is not considered necessary to specifically state this in relation to Policies HS.12 and HS.13, given that development within Oxford has the potential to affect views of the Oxford skyline both from within the City and outside it. It should be noted that paragraph 5.8.7B provides further clarification in stating that "the City Council will seek the cooperation of neighbouring planning authorities in opposing any development that would detract from, or obstruct, the outstanding views of Oxford, and in keeping view points publicly accessible."	None
MOD 124	6.3.4 Structure Plan and Regional Planning Guidance Numbers	To assist plan users, it may be helpful to specify that the South East Plan covers the period 2006-2026.	It is agreed that this minor change to the text would improve clarity.	Amend paragraph 6.3.4 to read: "The South East Plan (Regional Spatial Strategy) will set out build rates for Oxfordshire for the period 2006 to 2026."

MOD	Policy / Paragraph	Comment made by GOSE	Officer response	Officer recommendation
MOD 125	6.3.4A Structure Plan and Regional Planning Guidance Numbers	To assist plan users it may be helpful to clarify whether the completions are gross or net additions.	It is agreed that this minor change to the text would improve clarity. A grammatical correction is also made.	Amend paragraph 6.3.4A to read: "In the first three years of the Plan period, from 1 st April 2001 to 31 st March 2005, a total of 1,842 dwellings (<u>net</u>) were completed."
MODs 136-148	7.1 – HS.8 Affordable Housing	<p>While supportive of the intentions of the policy, GOSE was concerned over the lack of evidence of either the need for the policy or whether it was deliverable in practice. GOSE is aware that a range of evidence was submitted to, and tested at, the Local Plan Inquiry, and that the Inspector's Report recommendations generally support the Oxford approach. We note that the Council is proposing to accept all the Inspector's Recommendations in connection with the affordable housing policies and their supporting text. On this basis, the First Secretary of State wishes to formally withdraw his objections to HS.6 and its supporting text, should they and the rest of the plan with regards to affordable housing and key workers proceed to adoption in their current form. The reasons for withdrawing the objections are based upon the emergence of revised national policy in the form of recent draft changes to PPG3 (which allows authorities to develop their own thresholds where this is both justifiable and deliverable) and in light of evidence provided to justify the Oxford approach, that has been tested and supported at inquiry.</p> <p>It should, however, be noted that as part of GOSE's wider housing completions work, we will continue to monitor Oxford and other areas for any evidence of undersupply. We therefore expect the City Council to proactively and rigorously monitor how this policy is working out in practice.</p>	<p>Note the comments made and welcome the withdrawal of the objections referred to.</p> <p>It should be noted that MODs 136-148 refer to Policies HS.5, HS.6 and HS.8 and their supporting text, rather than just Policy HS.6.</p>	No change to Plan

MOD	Policy / Paragraph	Comment made by GOSE	Officer response	Officer recommendation
MODs 149-153	HS.10 – HS.11A Affordable / Key Worker Housing	<p>The First Secretary of State similarly wishes to formally withdraw his objections to Policy HS.11A <i>Housing and Commercial Development</i> and its supporting text, should they proceed to adoption in their current form.</p> <p>As before, the First Secretary of State would wish to draw attention to the particular and not necessarily repeatable circumstances pertaining in Oxford that would indicate that the HS.11A approach is warranted and deliverable. However, also as before, GOSE would expect the implementation of the policy to be proactively and rigorously monitored, the findings to be published in the Oxford City AMR and early, appropriate action taken if delivery of economic growth and/or housing be at risk of faltering due to this policy or for other reasons.</p>	Note the comments made and welcome the withdrawal of the objections referred to.	No change to Plan
MOD 198	10.3.3 Private Schools	The proposed text is unclear. Does it mean that the Council will seek to reduce the traffic generated by the school per se or only that part covered by the planning application? Also it is unclear whether the effect will be to try to minimise as far a practicable traffic generated or merely seek to ensure that the final version is less than that originally proposed.	The extent to which traffic generation can be limited or reduced overall will depend on the individual merits of a proposal. However modal shift and reducing the need for private car travel, thus reducing traffic generation, is a key aim for all development proposals in Oxford, and is a particular concern for schools due to the pattern of travel generated. The wording, as proposed, is therefore considered appropriate for the supporting text. Policy ED.3 gives a specific set of criteria against which proposals are actually to be judged.	No change to Plan
MOD 237	RC.8A Individual Shops	To be consistent with the wording of RC8, should RC8.A also refer to community uses?	Community uses are considered to be more appropriately directed towards established Neighbourhood Shopping Centres. Community use of individual shops would be assessed on their individual merits.	No change to Plan

MOD	Policy / Paragraph	Comment made by GOSE	Officer response	Officer recommendation
MOD 261	TA.4 Tourist Accom	To make sense the policy should presumably use the terms 'either' in the preamble and 'or' between the clauses, or 'both' and 'and'.	It is agreed that the suggested insertion of the words 'either of' in the relevant sentence should be made to improve the sense of Policy TA.4	Amend the second half of Policy TA.4 such that the preamble sentence to criteria aa and bb reads: "Planning permission will only be granted for the change of use of short-stay accommodation when both of <u>either of</u> the following criteria are met:"
MOD 348	DS.69A & 14.2.88B Ruskin College	a) Para 14.2.88B To be consistent with the terminology used elsewhere in the plan, should the phrase 'associated with the health service' be inserted after 'other key-workers'. b) Policy DS.69A As per comment (a)	MOD 348 relates to Policy DS.69A and supporting text, which sets out development principles for a site currently occupied by Ruskin College, i.e. educational (institutional) use. It is therefore not the intention to limit key worker housing provision to health service staff only on this site, given that the site is not owned or occupied by a health service provider. This approach is purposefully different to that taken for sites currently in health-related use or ownership, where key worker housing should appropriately relate only to health service staff.	No change to Plan
MOD 365	DS.85 Westgate Shopping Centre	It is assumed that due to a typographical error the phrase '(on upper floors)' has not been deleted since the Council accepted the Inspector's recommendation to do so.	The typographical error referred to has been noted.	Amend criterion (a) of Policy DS.85 to read: "a. residential (on upper floors);"

MOD	Policy / Paragraph	Comment made by GOSE	Officer response	Officer recommendation
MOD 381	Glossary – Edge of Centre	The Council will wish to satisfy themselves that the definition used is compatible with that contained in PPS6	The wording proposed is as recommended by the Inspector (Inspector's Recommendation 12.2/4). Given that the consultation draft of PPS6 had been published when the Inspector made his recommendations, he would have taken into account the revised Government policy approach. Officers also consider the wording proposed to be comparable with the definition used in PPS6.	No change to Plan
MOD 395	Glossary – Supplementary Planning Documents	It may assist plan users to retain a definition of SPG on the basis that the Council appears to be likely to rely on the contents of existing SPG at least in the short term. However any such definition will need to clearly distinguish the function and weight to be attached to any remaining SPG as opposed to SPD prepared under the new planning system	All references to SPG in the Plan text are proposed to be changed to SPD, given that all SPGs referred to in the Oxford Local Plan have not yet been published. It is therefore unnecessary and would be potentially confusing to refer to SPG in the Glossary.	No change to Plan