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2.1 Introduction

2.1.1 The Core Policies form the heart of the Oxford Local Plan, and set out the strategy the City Council will apply in promoting and controlling development throughout Oxford. These policies set the overall context in which the following detailed sections need to operate, and overarch the other policies in the Plan.

2.1.2 Sections 3.0 to 14.0 of the Plan contain criteria-based policies that are intended to shape development and deliver the overall strategy of the Core Policies. These sections cover key issues such as residential development, employment, transport and the historic environment.

2.2 Future Development of Oxford

2.2.1 The Local Plan sets out a vision for the future development of Oxford during the Plan period. The policies set the framework for implementing the vision.

2.2.2 The Local Plan recognises the strengths of Oxford as a historic city and aims to build on them. These are:

- the high quality of the built and natural environment;
- the diversity of the economic base;
- the compact nature of Oxford, and its accessibility; and
- the reputation of the health care and education institutions.

2.2.3 However, sustaining the health and well being of Oxford's residents, workforce and visitors now and in the future brings various problems. With this in mind, the Plan seeks to:

- provide decent accommodation for all, taking into account the changing household profile and housing need;
- improve accessibility for all, in and around Oxford, by modes of transport other than the private car;
- improve the range and quality of local services across Oxford;
- enhance the historic, cultural and attractive areas of Oxford;
- regenerate areas;
- reduce the consumption of non-renewable energy;
- conserve and enhance the bio-diversity in Oxford;
- promote urban design of high quality;
- conserve important open spaces; and
- minimise the opportunities for crime and anti-social behaviour.

2.2.4 Development in Oxford over the life of the Plan should contribute to this overall vision. It is vital to Oxford's future prosperity that residential development should produce affordable and smaller dwellings. Other development should aim to regenerate and improve existing services, with a particular emphasis on ensuring more local facilities, or provide new modern services. This may typically mean the provision of more and smaller retail, commercial, and employment spaces. Development in Oxford is also likely to result in denser patterns of land use and involve more mixed-use developments.

2.2.5 The City Council will require developments to be sustainable. This relates to their location, use, accessibility, design, use of materials, and visual and environmental impact.

2.2.6 Development should be directed to previously developed sites to avoid loss of undeveloped open spaces. Higher density developments with a vertical mix of uses (different uses on different levels) would be considered suitable where they are well served by local shops and services and where they are realistically accessible by walking, cycling and public transport.

2.2.7 Residential development will form the bulk of development proposals in Oxford. The City Council will seek residential development specifically designed to suit smaller households in the private market, and to provide both affordable and key worker housing.

2.2.8 Almost all development sites of significant size are likely to be suitable for mixed-use developments. The City Council expects larger development proposals to meet, as far as is possible, their own requirements for employment, convenience retail and community facilities.

General Policies

2.3 Use of Planning Policies

2.3.1 All planning applications will be determined in accordance with the relevant policies in the development plan unless other material considerations indicate that there should be an exception to these policies. To avoid repetition, individual policies do not duplicate the contents of other policies in this Plan, nor other policies in the Development Plan. Therefore, individual policies cannot be read in isolation.

2.4 Development Proposals

2.4.1 The City Council expects new development to enhance the quality of the environment. Policy CP.1 is central to the purpose of the Local Plan, and will be applied to all development, irrespective of the proposed use.

POLICY CP.1 - DEVELOPMENT PROPOSALS

Planning permission will only be granted for development which:

- a. shows a high standard of design, including landscape treatment, that respects the character and appearance of the area; and
- b. uses materials of a quality appropriate to the nature of the development, the site and its surroundings; and
- c. is acceptable in respect of access, parking, highway safety, traffic generation, pedestrian and cycle movements including, where appropriate, links to adjoining land; and
- d. provides buildings and spaces with suitable access arrangements and facilities for use by all members of the community with special access needs.

Where relevant, development proposals must also:

- e. retain and protect important landscape and ecological features, and provide for further landscape treatment where appropriate to the nature of the area or to safeguard the local amenity; and
- f. retain important open spaces of recreational or amenity value or both; and
- g. preserve or enhance the special character and setting of listed buildings and conservation areas; and
- h. preserve the site and setting of Scheduled Ancient Monuments or sites of special local archaeological significance; and
- i. safeguard public rights of way and the amenities of adjoining land users and occupiers, including the provision of alternative rights of way of equal or enhanced quality.

2.5 Planning Obligations

2.5.1 The City Council will seek planning obligations where they are necessary to secure planning permission, relevant to planning and directly related to the proposed development. The obligation should also be fair and reasonably related in scale and kind to the proposed development, and reasonable in all other respects.

2.5.2 The Government believes that an effective planning obligation system should enhance the quality of the development and the wider environment, and ensure that the proposal makes a positive contribution to sustainable development, providing social, economic and environmental benefits to the community as a whole. Planning obligations should help to ensure an increased supply of affordable housing, provision of public space, and the facilities and infrastructure, including schools and libraries, needed to accommodate growth.

2.5.3 The Government believes that planning obligations should be used as a positive tool to help achieve planning objectives. The City Council considers this to be the right approach for Oxford in the present circumstances.

2.5.4 In some cases the City Council may need to consider the cumulative impact of individual applications when assessing off-site (or on-site) infrastructure requirements and other

planning obligations, such as affordable housing. Contributions sought from a particular development will be limited to what is fairly and reasonably related in scale and kind to:

- a. the cumulative impact arising from the relevant scheme; and if necessary
- b. address any immediate unacceptable short-term problems.

2.5.5 The City Council will produce a Supplementary Planning Document on the use of planning obligations, which will take account of Government advice and also the County Council's guidance note "Infrastructure and Service Needs for New Development."

POLICY CP.2 - PLANNING OBLIGATIONS

Planning permission will only be granted when the City Council is satisfied that the direct physical, social and economic infrastructure, or other measures necessary to mitigate against the adverse impact of developments (including a proportional contribution to address the cumulative impact of the proposed development) and the relevant policy aims of the Development Plan, will be provided. The City Council, where appropriate, will seek to secure such measures through planning obligations.

Location Policies

2.6 Limiting the Need to Travel and the Sequential Test

2.6.1 New development should be located with a view to minimising travel journeys, encourage energy-efficient modes of transport, reduce pollution, avoid congestion to main traffic routes, and promote sustainable ways of life. Development should be located at the centre of the population it is designed to serve.

2.6.2 The City Council considers that all developments that attract a large number of people should offer a realistic choice of access by walking, cycling or public transport. Developments should not be designed or located on the assumption that the private car is an acceptable means of access for the majority of people.

2.6.3 Therefore, the City Council will consider the need (generally meaning in the public interest) rather than the demand for the development. A failure to demonstrate that the development is needed, and that a sequential approach (see below) has been applied in selecting the application site, would justify the refusal of planning permission. There is a limited amount of space in locations that can be accessed by sustainable means and attract a large amount of people.

2.6.4 In considering planning applications for development that would attract a large number of people, the City Council will adopt a sequential test by which the applicant must demonstrate that the development could not be more sustainably accommodated in the following locations and in the following order of priority:

- first, locations in existing centres, taking account of the appropriate scale of development in relation to the centre; and then
- edge-of-centre locations.

2.6.5 The City centre and the four District centres are defined on the Proposals Map. The City centre and District centres contain, and should retain, a wide range of uses that need to be accessible to a large number of people, including employment, shopping, offices of local government, leisure, entertainment and higher education. While retailing should continue to

underpin these centres, it is only part of what ensures their health. These centres should provide a broad range of facilities and services, and act as a focus for both the community and for public transport.

2.6.6 The City centre, and then the edge-of-City centre sites should be the main location for developments which attract a large number of people, and serve a wider area than just one district council (i.e. the Country Towns and the sub-regional area). The District centres, and then edge-of-District centres should be the location for smaller-scale facilities serving district and local neighbourhood needs.

2.6.7 It is considered there is unlikely to be a need to permit any new out-of-centre sites for developments that would require a large number of people to travel by private car.

POLICY CP.3 - LIMITING THE NEED TO TRAVEL

Planning permission will only be granted for employment, retail, education, leisure and other developments that attract a large number of people when the City Council is satisfied that:

- a. there is a need for the development;
- b. the location of the proposed development is in the most sustainable location when assessed against the sequential test. For large developments, the City Council would also need to be convinced that the purpose of the development could not be equally well served by several smaller developments in more sustainable locations; and
- c. the location is realistically accessible by walking, cycling or public transport for the majority of people travelling to the site.

The City centre and the four District centres are defined on the Proposals Map.

2.7 Limiting the Need for Greenfield Development and the Sequential Approach

2.7.1 The City Council has undertaken several studies to assess the various land use needs within Oxford. These include:

- urban capacity study;
- retail needs;
- employment needs;
- needs of the University of Oxford;
- needs of Oxford Brookes University; and
- needs of the various Hospital Trusts.

2.7.2 As a result, to achieve key planning objectives, a limited amount of greenfield land has been allocated for particular developments in this Plan. The City Council considers that any additional greenfield land development would be inappropriate, and would conflict with the aims of urban renaissance.

2.7.3 The City Council has adopted a sequential approach to assessing the development potential of sites and the redevelopment potential of existing buildings.

2.7.4 In deciding which sites to allocate for different types of development, the City Council has assessed the potential and suitability for development against the following criteria:

- the availability of previously-developed sites, and empty or under-used buildings, and their suitability for different uses;
- the location of potential development sites for other uses, such as residential use, employment and retail and their accessibility by modes of transport other than the car; and how far accessibility could be improved;
- the capacity of existing and potential infrastructure, including public transport, water and sewerage, other utilities and social infrastructure (such as schools and hospitals), to absorb further development and the cost of adding further infrastructure;
- the ability to build communities, to support new physical and social infrastructure and to ensure sufficient demand to sustain appropriate local services and facilities;
- the physical and environmental constraints on development of land, such as the level of contamination, stability and flood risk.

2.7.5 The various needs of Oxford will be reviewed regularly throughout the life of this Plan. If it becomes necessary to release further greenfield land, then this will be carefully phased and managed through a review of this Plan. Ad hoc release of individual sites or proposals would not accord with the Plan.

POLICY CP.4 - GREENFIELD DEVELOPMENT

Planning permission will only be granted for development of greenfield (previously undeveloped) land which is specifically allocated for that purpose in this Plan.

2.8 Mixed-use Developments

2.8.1 Maintaining or increasing the mix of uses in an area can help create vitality and diversity, and at the same time reduce the need to travel. The City Council seeks to promote and retain a mix of uses, particularly in areas which are realistically accessible by walking, cycling or public transport, are close to local facilities, and contribute positively to the surrounding physical and social infrastructure.

POLICY CP.5 - MIXED-USE DEVELOPMENTS

Planning permission will only be granted for development which maintains or enhances the mix of uses which are appropriate to that particular area.

Design Policies

2.9 Efficient Use of Land and Density

2.9.1 As a result of the limited amount of land available for all development in Oxford, it is essential that development proposals ensure an efficient and appropriate use of land. Developing suitable sites to their best advantage can ease the pressure for development on land elsewhere in Oxford.

2.9.2 Efficient use of land is a fundamental aspect of good urban design. Density influences the intensity of development and, in combination with the use or mix of uses, can affect a place's vitality and viability.

2.9.3 While the City Council will encourage high densities, we also recognise the need to avoid 'town cramming'. Therefore the criteria and objectives of the other design policies in this

sub-section must be met. The appropriate density for a site will depend on the context and nature of the proposal. The City Council will generally expect greater intensity of development on sites with good local facilities and public transport accessibility, such as within the City and District centres.

2.9.4 Density may not always be a useful measure, particularly on small sites or mixed-use developments. However, where this measure is appropriate, residential developments should generally be above 40 dwellings per hectare. The City Council considers that many sites can be developed at much higher densities than this minimum, and where appropriate the City Council will expect this.

2.9.5 Some residential proposals will come before the City Council as an outline application in order to establish the principle of development before the full design of the scheme is known. In order to allow an outline permission to be granted, but to prevent misunderstanding as to the number of dwellings permitted, the City Council may impose a planning condition defining a range of numbers of dwellings considered appropriate for the site. This will allow a good urban design solution to be developed without the constraints of a pre-determined amount of development being imposed.

POLICY CP.6 - EFFICIENT USE OF LAND & DENSITY

Planning permission will only be granted where development proposals make maximum and appropriate use of land.

Development proposals must make best use of site capacity, in a manner compatible with both the site itself and the surrounding area, as well as addressing the following criteria:

- a. the intensity of development must be appropriate for the use proposed;
- b. the scale of development, including building heights and massing, should be at least equivalent to the surrounding area, although larger-scale proposals will be encouraged in appropriate locations;
- c. opportunities for developing at the maximum appropriate density must be fully explored;
- d. built form and site layout must suit the site's capacity; and
- e. parking levels must be appropriate to the use proposed.

Residential developments should generally be above 40 dwellings per hectare, with higher density development expected on appropriate sites.

2.10 Urban Design

2.10.1 The need for good urban design is central to good land use planning. Urban design is the relationship between different buildings; the relationship between buildings and streets, squares, parks, waterways and other spaces which make up the public domain; the nature and quality of the domain itself; the relationship of one part of Oxford with other parts; and the patterns of movement and activity which are thereby established. In short, urban design encompasses the complex relationship between all the elements of built and un-built space. Landscape design should be considered as an integral part of urban design.

2.10.2 The City Council will reject design that does not take account of the types of issues raised above. Examples include proposals inappropriate to their context, in terms of those clearly out of scale or incompatible with their surroundings. This should not prevent innovative or original development proposals from coming forward in appropriate locations.

POLICY CP.7 - URBAN DESIGN

Planning permission will only be granted for developments that demonstrate good urban design. The applicant must demonstrate that the proposed development is appropriate for the site and the surrounding area.

2.11 Achieving Quality Design

2.11.1 The City Council's policies and guidance will help applicants understand and address urban design objectives and achieve high quality development. Further guidance may be produced for individual sites, applying these urban design principles.

2.11.2 The City Council wishes to ensure developments are of a suitable quality by seeking to achieve the following four urban design principles:

- improved quality of life through development that takes into account the needs of its users;
- buildings and spaces designed together to make a whole which is greater than the sum of its parts and which enriches local character;
- development that is connected to and integrated with the surrounding area; and
- neighbourhoods laid out to be safe, secure and sociable, that work well for their users and help to create a community.

2.11.3 The quality of new development is ultimately judged by how:

- efficiently it uses resources;
- long it lasts;
- enjoyable it is to use or visit;
- easy it is to find your way in and through;
- safe and secure it feels;
- the buildings and adjacent spaces are related to each other; and
- attractive it looks as a whole.

Context

2.11.4 New development should respect its neighbours, relate to its local context and enhance its character. Each new development, of whatever scale, has a potentially significant effect on the appearance and character of the area. All development is part of the continuing process of reshaping, infilling, extending or enhancing the built form and landscape of a locality, to nurture a more coherent and distinctive sense of place.

2.11.5 A building is always seen in relation to its surroundings, not just by itself. An extension is always seen in relation to its host building. New development should relate to the siting, scale, form and appearance of surrounding development. The design of development should respect the defining form and grain of the local area.

- 2.11.6 How far design should be influenced by context will depend on:
- the degree of visibility of the development;
 - the sensitivity of its built or landscape setting;
 - the coherence and consistency of the setting in terms of spatial quality, building lines, sky lines, building forms, scale, details, materials, and space between buildings; and
 - the design objectives relevant to the specific area.

2.11.7 Some areas have a strongly defined townscape character or possess a very consistent pattern of development that needs to be respected, while other areas rely on new development to improve their physical form or bring out their character. Detailed information on the townscape character of the different parts of Oxford is contained in a report entitled "A Character Assessment of Oxford in its Landscape Setting". Further guidance on these matters will be produced from time to time as a Supplementary Planning Document.

2.11.8 The Council will require high standards of design, and where appropriate will ask for details of materials and large-scale drawings of architectural detail to ensure an appropriate appearance.

POLICY CP.8 - DESIGNING DEVELOPMENT TO RELATE TO ITS CONTEXT

All new and extended buildings should relate to their setting to strengthen, enhance and protect local character. Planning permission will only be granted where:

- a. new development is well connected to, and integrated with, the wider area;
- b. the siting, massing and design of proposed development creates an appropriate visual relationship with the form, grain, scale, materials and details of the surrounding area;
- c. building design is specific to the site and its context and should respect, without necessarily replicating, local characteristics, and should not rule out innovative design; and
- d. proposed development on sites with a high public visibility enhances the style and perception of the area, particularly by retaining features which are important to, and remove features which detract from, the character of the local area.

In addition, in and adjacent to conservation areas, new development needs to have special regard for the character and appearance of the area.

Public Realm

2.11.9 The public's main experience of buildings is from public streets and spaces next to buildings, so new development makes an important contribution to the quality of the 'public realm'. However, not only frontage elevations are important. Building design must take account of anywhere that the building can be seen from, so side and rear elevations need to be considered.

2.11.10 Development form and layout is the key to creating successful and sustainable places. The three-dimensional form, the quality of space and the variety of land use activity generates a sense of place. Clear boundaries between public and private space, visible routes and windows on the street make places usable and safe, with fewer opportunities for crime. Footpaths and alleyways should be designed to avoid dark and hidden areas and should follow a direct route.

2.11.11 Site appraisal will indicate features that will need to be incorporated in the site plan. Good design includes retaining and converting existing buildings, structures and landscape features of value.

POLICY CP.9 - CREATING SUCCESSFUL NEW PLACES

Development proposals should be designed to create a successful living and working environment and achieve high quality public spaces. Planning permission will only be granted subject to whichever of the following factors are relevant to the development:

- a. building blocks, routes and spaces are clearly inter-related;
- b. the development layout shows the way for pedestrians and cyclists to move through without obstruction;
- c. public spaces are clearly distinguished from private areas;
- d. individual buildings are seen as part of a group creating a sense of enclosure;
- e. street and building layouts are such that slow traffic movement is encouraged;
- f. building frontages define streets, squares and green spaces; whether reinforcing an existing space or forming a wholly new space;
- g. building fronts are 'active' (allowing people to go in and out or look in and out) with entrances and windows next to public streets and spaces;
- h. shared road surfaces, where the carriageway may be safely shared with pedestrians, are included in the design;
- i. non-residential vehicle parking and servicing are placed away from street fronts;
- j. outdoor spaces are usable, safe and pleasant;
- k. threats of crime, insecurity or neglect are designed out;
- l. adverse micro-climate effects (e.g. pockets of cold, heat, dazzle, wind or shade) are avoided;
- m. plant and machinery are integrated into building design;
- n. unacceptable levels of light and noise nuisance are avoided; and
- o. existing site features of value, whether natural, functional, historic or local character, and existing routes or views into and out of the site are properly respected and incorporated into the development proposal.

Where the City Council considers a site has potential to improve the transport network, it will seek to improve or introduce routes to and through the site for use by pedestrians, cyclists and public transport, benefiting the wider public.

Function

2.11.12 Through careful site planning, buildings and activities should be arranged to ensure the most efficient use of land. Roads, street lighting, power and telephone cables etc. must be carefully placed in relation to features of the site.

2.11.13 Access points should connect with the existing network of roads and paths and allow a logical layout of accommodation on the site.

2.11.14 The City Council will safeguard the amenities of the occupiers of properties surrounding any proposed development. This is particularly important for existing residential property. New development can block light, have an overbearing effect, overlook adjoining properties or jeopardise their security. So the siting, size and orientation of the proposed

structures and the presence of plant and machinery should not affect the privacy, light, outlook or security of occupiers of adjoining properties.

POLICY CP.10 - SITING OF DEVELOPMENT TO MEET FUNCTIONAL NEEDS

Planning permission will only be granted where proposed developments are sited to ensure that:

- a. access to the site is practicable, with priority given to pedestrians and cyclists;
- b. circulation within the site, and site entrances, give priority to pedestrians and cyclists;
- c. outdoor needs are properly accommodated, including private amenity space, screened refuse and recycling storage, servicing and parking;
- d. street frontage and streetscape are maintained or enhanced or created;
- e. buildings are orientated to provide satisfactory light, outlook, and privacy; and
- f. the use or amenity of other properties is adequately safeguarded.

Landscaping

2.11.15 Hard and soft landscape make a major contribution to the attractiveness of a development. The layout and treatment of the surrounding space will determine the way people use and move through the space and how it will contribute to the character of an area. All outdoor spaces should be landscape designed as an integral part of the development proposal to enhance the function and character of the spaces and help integrate the development into its surroundings.

POLICY CP.11 - LANDSCAPE DESIGN

Planning permission will only be granted where:

- a. the landscape design relates to the function and character of the spaces and surrounding buildings;
- b. existing trees, shrubs, hedges and water features of significant landscape value are incorporated alongside new planting;
- c. buildings and paved surfaces are located far enough from existing trees and hedges to avoid damage to roots from sub-surface works;
- d. all boundary edges or fences are designed as an integral part of the development and surrounding area;
- e. paving and location of street furniture are designed to make walking and cycling easy, improve pedestrian safety, give an uncluttered appearance, and make use of good quality materials to enhance their setting; and
- f. the landscape design enhances ecological value, wherever possible.

Proposed new planting must be properly established and maintained in the long term. This will be controlled by planning condition or planning obligation.

When development is permitted near trees, protection during site works will be necessary. Tree protection measures, required by planning condition, will be approved provided they comply with British Standard 5837 - Trees in Relation to Construction or any subsequent amended standard.

2.12 Designing Out Crime

2.12.1 The design of the built environment should aim to reduce the opportunity for crime. Sound security principles should accompany all new development, and it is also important that solving one problem does not create another elsewhere. A careful balance needs to be struck between creating attractive new places and crime prevention measures.

2.12.2 The principles for creating safe environments are:

- surveillance - direct and indirect viewing of public space by occupiers of developments passers by;
- territoriality – a sense that a place belongs to the community occupying it, to create a feeling of neighbourhood and to encourage surveillance over areas of defensible space;
- style - to improve the way buildings are perceived and avoid stigma;
- avoiding a hostile atmosphere among occupiers or neighbours, which creates a feeling of insecurity.

2.12.3 The need to avoid unacceptable criminal activity and anti-social behaviour, including matters relating to safety and the fear of crime, will be important considerations in determining applications for changes of use and in respect of related planning conditions.

POLICY CP.12 - DESIGNING OUT CRIME

Planning permission will not be granted for development proposals, including changes of use, which would be likely to give rise to unacceptable criminal activity or anti-social behaviour.

Planning permission will only be granted for new development which is designed to:

- a. reduce the feeling of insecurity; and
- b. maximise natural surveillance of public spaces from occupiers of buildings and visitors or passers-by outside; and
- c. provide adequate and appropriate lighting, particularly at meeting places and along pedestrian and cycle routes; and
- d. encourage social contact, support the principles of neighbourhood watch, and designed to meet the criteria of the 'secured by design' award.

2.13 Accessibility

2.13.1 The City Council considers it essential that all new development in Oxford should be accessible to all members of the community, including people with children, elderly people, and people with disabilities, and that their needs are incorporated into the design of new facilities. We particularly stress the need to provide suitable means of access, parking and toilet facilities for people with disabilities.

2.13.2 Access into buildings and provision of facilities for disabled people are to some extent controlled by Part M of the Building Regulations, although it does not usually apply to alterations and changes of use in around 70% of non-dwelling planning applications. Developers should consider the needs of people with disabilities early in the design process and integrate good accessibility into developments. Where Part M of the Building Regulations does not apply, the City Council will insist, where reasonable, on planning conditions or a legal agreement to achieve our requirements.

POLICY CP.13 - ACCESSIBILITY

Planning permission will only be granted for development which makes reasonable provision for access by all members of the community, including people with children, elderly people and people with disabilities. The City Council will require proposals to ensure that the particular needs of different groups are incorporated into the design of new buildings, facilities and the layout of sites.

2.14 Public Art

2.14.1 Public art, integrated with buildings and landscape, is an important cultural asset, contributing to public enjoyment of Oxford. It can take a wide variety of forms, such as paintings, sculpture, murals, memorials, street furniture, and facilities for performance arts or cultural events.

2.14.2 New development offers the opportunity for introducing art into the environment. Proposed public art should be accessible for public enjoyment, enhance and enliven the environment, and contribute to the cultural identity of its location. Public art can be designed as part of the proposed development, or a planning condition can seek further details of its location and design in relation to the development. Where appropriate, the City Council will secure public art through planning obligation agreements covering the amount of dedicated funding, the selection and commissioning of an artist, installation and maintenance.

2.14.3 Normally, art will be incorporated into the fabric of the building, its open spaces or entrances. In some cases, the City Council may negotiate off-site installation of public art in strategic locations in the street environment, or public open space. Where appropriate, the City Council may accept arrangements to implement public art projects in prominent locations by combining contributions from more than one development. In any event, we will seek public art that is original, stimulating and of lasting value to both the development and the cultural life of Oxford.

2.14.4 Public art should be considered from the outset of the design process. Potentially, all developments could contribute to public art, especially those in prominent public locations. As a guideline, the City Council will seek approximately 1% of the total development cost to go towards public art, in line with the 'Percent For Art' scheme endorsed by the Arts Council. However, this amount can increase or decrease depending upon the size, nature and scale of the proposal.

2.14.5 In the context of this policy, the term 'major development' refers to proposals for 20 or more dwellings, or for more than 2,000 m² of floorspace, or a development that will have a significant impact on public realm, or a high degree of public access.

POLICY CP.14 - PUBLIC ART

The City Council will seek the provision of public art in association with major developments (20 or more dwellings, or for more than 2,000 m² floorspace).

Public art must be incorporated within the development site, or be provided near to the development.

Where appropriate the City Council will seek the provision of public art, which will be secured by a planning condition or planning obligation.

Environmental Opportunities

2.15 Energy Efficiency

2.15.1 Energy conservation and renewable energy are central to the principles of sustainable development, and are a fundamental part of design. Developers should demonstrate how the schemes have been designed to help to conserve energy by means of layout, orientation, construction, materials and landscaping of buildings.

2.15.2 Part L of the Building Regulations covers some aspects of energy efficiency and sets some minimum standards. However, the City Council will seek good design which covers all aspects of energy efficiency.

2.15.3 The City Council attaches importance to the efficient use of natural resources in new developments and the re-use of existing buildings.

POLICY CP.15 - ENERGY EFFICIENCY

Planning permission will only be granted for developments which are designed to optimise energy efficiency. Developments will be assessed against the following criteria:

- a. the use of appropriate materials, siting, form, orientation and layout of buildings to maximise the benefits of passive solar (or natural) heating, cooling, lighting and natural ventilation;
- b. the use of soft landscaping, including tree planting, to increase summer shading and reduce heat loss in winter; and
- c. the use of energy-efficient, renewable-energy technology, whether new or traditional, for heating, cooling, power and lighting.

2.16 Use of Renewable Energy

2.16.1 Renewable energy is the term used to describe the energy flows that occur naturally and repeatedly in the environment, for example from the sun, wind, oceans, plants and water.

2.16.2 The Government has planned a range of legislative and commercial incentives to achieve the target of generating 10% of electricity supplies from renewable resources by 2010. Government policy is to stimulate the development of new renewable energy sources, wherever they may be economically attractive and environmentally acceptable, to contribute to:

- diverse, secure and sustainable energy sources;
- a reduction in the emission of pollutants;
- the encouragement of competitive renewable industries.

2.16.3 The City Council will in particular encourage the use of solar panels, photovoltaics and, where appropriate, wind generators on all developments (both new and existing), and on residential and non-residential buildings.

POLICY CP.16 - RENEWABLE ENERGY

Planning permission will be granted for renewable energy schemes in appropriate locations.

2.17 Recycling Facilities and Use of Recycled Materials

2.17.1 One of the key aims for 'sustainability' is to minimise waste. The principle is based on reducing the quantity of waste produced, recycling the waste which is produced, and re-using recycled or reclaimed materials.

2.17.2 All new developments that attract a large number of people should include recycling facilities. They should provide enough space for small recycling areas suitable for facilities, such as bottle banks, and paper and plastic recycling bins.

2.17.3 One of the problems of home recycling is that internal residential layouts are not normally large enough for separation and recycling at home. The short-term storage of glass, paper and plastics can require specific consideration in the kitchen layout. In new residential development space should be allowed for the home recycling boxes collected by the City Council.

2.17.4 The City Council will encourage the re-use of re-claimed building materials and the use of secondary aggregates, screened soil and other recycled materials in all developments. Developments of 10 or more dwellings, or more than 2,000 m² of floorspace, must demonstrate how the design will incorporate the use of secondary materials. Examples of this could be the use of reclaimed bricks, tiles and timbers, the use of screened soil and wood chips in landscaping areas, or the use of secondary aggregates in the construction of roads.

2.17.5 Developments, where the design does not incorporate the use of recycled or reclaimed materials, will be refused planning permission, as they would not help the City Council in achieving the Government's targets on minimising waste. Policy CP.18 requires developments above certain thresholds to submit a Natural Resource Impact Analysis (NRIA) which would include recycled materials.

POLICY CP.17 - RECYCLED MATERIALS

Planning permission will only be granted for developments of 10 or more dwellings, or non-residential development of 2,000m² or greater, where the design includes the use of recycled or reclaimed materials. This may form part of the Natural Resource Impact Analysis (NRIA).

2.18 Natural Resource Impact Analysis

2.18.1 The City Council will encourage all developments to combine resource efficiency and renewable energy into their design. The sensible use of construction materials, energy-efficient systems, and high technology appliances can improve living standards and reduce running costs. Examples include the following facilities:

- grey water recycling systems;
- recycled paper insulation;
- energy management systems;
- natural ventilation;
- solar orientation;
- solar water heating;
- avoidance of air conditioning;
- combined heat and power (CHP) facilities.

2.18.2 Proposed development should use fewer non-renewable resources, re-use materials, use less energy, and give more consideration to life cycle costs (i.e. the environmental costs of materials, source, transport, construction method and running costs). It is important that building materials are not toxic.

2.18.3 Developments of 10 or more dwellings or non-residential developments of 2,000 m² or greater must submit a Natural Resource Impact Analysis (NRIA). The NRIA should explain how the use of natural resources has been minimised in the project through energy efficiency, use of renewable energy, recycling and use of recycled materials. Large-scale developments which do not adequately address the NRIA in their design will be refused planning permission.

2.18.4 The City Council will, from time to time, publish Supplementary Planning Documents on the requirement for, and content of, a Natural Resource Impact Analysis (NRIA), and give examples of good practice in applying the above principles to different types of development proposals.

POLICY CP.18 - NATURAL RESOURCE IMPACT ANALYSIS

Developments of 10 or more dwellings or non-residential developments of 2,000 m² or more will be expected to submit a Natural Resource Impact Analysis (NRIA), as detailed in a Supplementary Planning Document. Planning permission will only be granted for developments, if through the NRIA, the proposal demonstrates careful attention to, and exploitation of:

- a. opportunities for the reduction in energy use;
- b. efficiency in the use of energy;
- c. the generation of energy from renewable energy sources;
- d. the use of renewable resources in general; and
- e. the use of recycled or reclaimed materials in their construction.

2.19 Environmental Impacts

Pollution

2.19.1 One of the key objectives of sustainable development is to minimise pollution. This refers to minimising the harm to human health and the environment from noise, vibration, effluent, fumes and other types of pollution. The City Council will need to be satisfied that proposals for development will not have unacceptable environmental impacts. Development should not give rise to unacceptable levels of noise, smell, dust, fumes, light or noxious emissions affecting areas beyond the site boundary, or to unacceptable levels of air or water pollution.

2.19.2 The City Council will consider the potential risk of pollution or the possibility that the development might cause nuisance when assessing planning applications. Prevention is better than cure. In drafting planning conditions the City Council will take into account the ease of enforcing them. The City Council will consult various pollution control agencies and the Environmental Health Section when considering proposals for potentially polluting developments, or other developments near to a source of pollution. The City Council will seek to ensure that developers take appropriate measures to minimise environmental impacts.

Nuisance

2.19.3 A policy to define unacceptable levels of environmental impact can only be considered in general terms. It is impossible to define unacceptable levels of impact in all circumstances, given the different types of development, locations, land use and their relative sensitivity.

2.19.4 Where residential development is proposed next to a source of potential nuisance, such as a noisy road or hazardous materials, the City Council will need to be satisfied that measures will be implemented to minimise or eradicate the problem, either by works to the dwelling or by controlling the nuisance at source, if this is within the applicant's control.

POLICY CP.19 - NUISANCE

Planning permission will be refused for development proposals that cause unacceptable nuisance. Where such nuisance is controllable, appropriate planning conditions will be imposed.

Planning permission will not be granted for residential development where the future occupiers would be likely to suffer from substantial nuisance from noise, dust, fumes, vibration, light or proximity to hazardous materials, unless adequate protective measures can be implemented before the development is occupied.

Lighting

2.19.5 The inappropriate use of lighting, including floodlighting, can cause an unacceptable nuisance and a loss of public amenity. There can also be negative impacts on some types of wildlife. The City Council will consider the impact of lighting in terms of 'light spill', the impact it will have on the night-time sky, the loss of amenity to residential properties and any impact on local wildlife. In some circumstances the use of floodlights can lead to longer use of playing fields, which can create noise and nuisance in addition to light pollution and spillage. In these circumstances easily enforceable planning conditions may be imposed to control the hours of operation. The issue of architectural lighting is dealt with in Policy HE.11.

POLICY CP.20 - LIGHTING

Planning permission will not be granted for any development which would result in unacceptable levels of light pollution and light spillage.

Noise

2.19.6 Noise can significantly affect the environment, health and quality of life enjoyed by individuals and communities. The City Council will seek to ensure that noise sensitive developments are separated from major sources of noise. We regard residential, education and health care uses as noise sensitive developments, but may include others, depending on local circumstances and priorities. In some circumstances noise can also have an adverse impact on local wildlife and this will also be taken into consideration. In determining planning applications, the City Council will have regard to the advice in PPG 24, Planning and Noise.

2.19.7 The background level of noise in residential areas and the countryside is often low. The City Council will pay particular attention to 'noise creep' (see glossary) when considering planning applications.

POLICY CP.21 - NOISE

Planning permission will be refused for developments which will cause unacceptable noise. Particular attention will be given to noise levels:

- a. close to noise-sensitive developments; and
- b. in public and private amenity space, both indoor and outdoor.

The City Council will impose easily enforceable conditions to control the location, design, layout and operation of development proposals to minimise any adverse impact as a result of noise and its transmission.

Proposals for noise sensitive developments should have regard to:

- c. the existing sources of noise, e.g. from roads, railways and other forms of transport; industrial and commercial developments; sporting, recreation and leisure facilities;
- d. internally generated noise or associated externally generated noise; and
- e. the need for appropriate sound insulation measures.

2.20 Contaminated Land

2.20.1 Oxford has a number of closed landfill sites of varying ages, some of which are still actively producing landfill gas. There are other previously developed sites that have been contaminated by previous industrial processes.

POLICY CP.22 - CONTAMINATED LAND

Planning permission will only be granted for development on, or near to, former

landfill sites or on land which is suspected to be contaminated, where the City Council is satisfied that there will be no threat to the health of future users or occupiers of the site or neighbouring land and that there will be no adverse impact on the quality of local groundwater or surface water quality.

Where necessary, the City Council will require prospective developers to submit details of an investigation of the site and any remedial measures that need to be carried out.

The City Council will, where necessary, require the developer to carry out remedial measures and to verify that the approved measures have been carried out.

2.21 Air Quality Management Area

2.21.1 Local authorities are required to establish Air Quality Management Areas (AQMA) to improve air quality where they do not expect air quality objectives to be met.

2.21.2 The City Council has declared an AQMA based on the areas in central Oxford where the annual mean nitrogen dioxide objective, i.e. above 40 microgrammes per cubic metre, is unlikely to be met. At March 2004, the AQMA covered: Beaumont Street; Bonn Square; Botley Road east of the railway bridge; Castle Street; George Street; Gloucester Green bus station; High Street; Hollybush Row north of St Thomas Street; Hythe Bridge Street; Longwall Street; Magdalen Street; New Road; Old Greyfriars Street; Park End Street; St Aldate's north of Thames Street; St Clements Street west of the public car park; St Giles south of Pusey Street; Speedwell Street; and Worcester Street. This area will need to be kept under review.

2.21.3 The planning system has a role to play in the protection of air quality by ensuring that land use decisions do not adversely affect the air quality in the AQMA, or in other areas where air quality objectives are unlikely to be met. A development will be assessed against its direct effect on air quality, and also the effect of the traffic it generates. Some schemes will in themselves reduce the air quality in the central area, but will lead to an overall improvement. An example of this is the Guided Transit Express (GTE) proposal, which is covered in more detail in Section 3.0, Transport.

POLICY CP.23 - AIR QUALITY MANAGEMENT AREAS

Planning permission will not be granted for development which would have a net adverse impact upon the air quality in the Air Quality Management Area, or in other areas where air quality objectives are unlikely to be met.

2.22 Telecommunications

2.22.1 Some telecommunication development may take place as permitted development. Telecommunication operators wishing to carry out development under the General Permitted Development Order (GPDO) are advised to carry out discussions with the City Council before doing so. Pre-application discussions with the City Council should also take place when prior approval or a full planning application is to be submitted. When seeking planning permission or prior approval, telecommunication operators are required to provide clear evidence that they have fully investigated options for using existing buildings, site sharing and alternative sites. When seeking permission for new sites for telecommunication development, applicants must demonstrate that they have made provision for future demands and site sharing.

2.22.2 Where planning permission is required, the City Council will take account of technical constraints on locating such equipment, the operational requirements, and the legal obligations of telecommunications operators. However, this must be balanced against the need to avoid, as far as possible, the use of unsightly equipment. The planning system should provide for such development, including new forms of broadcasting. The City Council recognises the importance of always ensuring the best outcome in environmental terms, particularly when considering the suitability of mast and site sharing. In addition, developers should minimise any visual impact through careful siting and sensitive use of materials, colour and design of telecommunication equipment. They should also look for ways to disguise or camouflage proposed facilities. Visual impact is of particular concern in listed buildings, conservation areas, green belt, and areas of safeguarded land.

2.22.3 There is significant public concern about health considerations in relation to telecommunication development. The siting of telecommunications equipment raises environmental concerns regarding health and noise issues. However, scientific research on the health implications of telecommunications development is currently inconclusive. Health considerations and public concern can in principle be a material consideration in determining applications for planning permission and prior approval.

2.22.4 Developers can reduce concerns over the health impact of telecommunications development by submitting information on this matter alongside proposals for new equipment. This should be in the form of a Health and Radiation Impact Analysis (HRIA) which provides details on the expected microwave and other radiation from the proposed equipment and how this relates to the EU ICNIRP guidelines. The City Council will issue further information on the content of an HRIA, from time to time, as a Supplementary Planning Document.

POLICY CP.24 - TELECOMMUNICATIONS

Planning permission, or prior approval, will only be granted for the installation of external apparatus necessary for the transmission or receipt of telecommunications where it is demonstrated that:

- a. alternative existing sites are unavailable for site sharing, and applicants have fully explored the possibility of erecting antennas on an existing building, or other structure, and have demonstrated the need for the development;
- b. the siting and appearance of the apparatus, including any location or landscape design requirements, have been designed to minimise the impact on amenity;
- c. installations are sited to be as unobtrusive as possible;
- d. applicants who propose to carry out telecommunications development have considered the need to include additional capacity to take account of the growing demands for network development, including that of other operators; and
- e. applicants have submitted a Health and Radiation Impact Analysis (HRIA).

2.23 Temporary Buildings

2.23.1 The City Council recognises that some organisations with restricted development funds may need to seek permission for temporary buildings. However, these buildings can produce particular problems unless they are for a genuinely temporary purpose. The construction or materials of some temporary buildings may be unsatisfactory for long-term use and the City Council will not support continued requests to renew permissions for temporary buildings. Applicants must clearly demonstrate the need for the temporary building and state

how long they want it for. For the purposes of this policy, short term is defined as up to five years.

POLICY CP.25 - TEMPORARY BUILDINGS

Planning permission will only be granted for temporary or portable buildings where short-term need has been clearly demonstrated, such as on sites already allocated for permanent development, buildings to house short-term or trial projects, to meet seasonal or peak demands, for urgent operational requirements, or in connection with major site development work.

Planning permission for temporary or portable buildings will not be granted where:

- a. buildings would adversely affect visual attractiveness, trees or parking provision; and
- b. proposals do not adequately address, where appropriate: landscaping; noise insulation; access for people with disabilities; relationship to existing buildings; prejudice future developments; access points; or provide a suitable external appearance.

Planning permissions for temporary buildings will be subject to a planning condition that requires the removal of the buildings within a specified time period.