

# CHAPTER SIX

## A CITY THAT RESPECTS ITS HERITAGE & FOSTERS DESIGN OF THE HIGHEST QUALITY

### INTRODUCTION

Oxford is a world-renowned historic city, highly recognisable by its iconic skyline and its architecture, with a rich and diverse built heritage comprised from layers of history both visible and buried that are a product of more than a thousand years of settlement. Oxford is also a dynamic city that must adapt and change, and high-quality design is key to managing this change positively, for the continued success of the city. The policies in this chapter address the city's heritage assets and historic environment as well as the need for high-quality design in new development. There are, of course, many overlaps between these topics and successful new design and the conservation and enhancement of the heritage of Oxford cannot easily be separated.

This chapter sets out the following topics:

- High quality design
- Efficient use of land
- Heritage assets
- Amenity
- Space standards

### HIGH QUALITY DESIGN

The value and benefits of good design and improvements it offers to quality of life are so significant that it is not a nice extra, it is essential. A successfully designed scheme will be a positive addition to its surroundings. It should be informed and inspired by the unique characteristics of the site and its setting, and these considerations should go beyond the red line of the application site to adopt a true placemaking approach. It may blend in or stand out, but it should not detract from existing significant positive characteristics in the area, and it may add interest and variety.

A well-designed scheme will meet the needs of all users and will stand the test of time. It gives flexibility to meet the needs of a wide range of people and takes account of how needs may change over time. It is important that new buildings create places that are of an adequate size and layout, with sunlight and daylight so that they provide a high quality, well-functioning

environment for occupiers. The impact on the amenity of occupiers of existing buildings must also be considered.

## PRINCIPLES OF HIGH-QUALITY DESIGN

### Policy context

- Oxford has a rich legacy of buildings, from iconic architectural set pieces in the historic core to smaller domestic, locally distinctive buildings within the many villages that now form part of the city and areas of planned city expansion.
- Contemporary and modern architectural styles have been added to the city over many years, adding to this richness and quality.
- There is therefore a wealth of inspiration in terms of building form and character and great opportunity for creative, high quality, complementary character to enhance the existing built form.
- Design should have a clear rationale, informed and inspired by the unique characteristics of the site and its wider setting, including an understanding of character.

### Policy implementation

- The policy will require that new development proposals in Oxford have been developed through a rigorous design process that will ensure the highest possible level of quality
- The Appendix 1.1 sets out the principles against which schemes will be assessed. The emphasis of the assessment will be on a design process that is clearly explained and justified, and a demonstration that the proposed development is one that works well for its intended uses and is responsive to the immediate and wider context.
- Early discussion between applicants, the local planning authority and local community about the design of emerging schemes is encouraged as it will help clarify expectations and allow the opportunity for creative ideas and problem solving to add value.
- The Council has a Design Review Panel that can give advice so that designs can be reviewed and improved at the informative stage. It is encouraged that all major development proposals are assessed by the Panel as part of the pre-application and then application process. In assessing applications, the Council will have regard to the outcome from these processes, including any recommendations made by Design Review Panel.
- In combination with the policy requirements, applicants are encouraged to refer to other resources to inform their design approaches. These can include the following:
  - The *National Model Design Guide* sets out and illustrates the government's priorities for well-designed places.
  - Building for a Healthy Life (BHL) is the latest edition of one of the most widely used design guides in England relating to healthy placemaking.

### **POLICY HD1: PRINCIPLES OF HIGH-QUALITY DESIGN**

Planning permission will only be granted for development of high-quality design that is responsive to its context, creates or enhances local distinctiveness, and ensures that the amenity of the natural environment is protected. Planning permission will only be granted where proposals are designed to meet the key design objectives and principles for delivering high quality development as set out in Appendix 1.1.

All developments - other than changes of use without external alterations or householder applications - will be expected to be supported by a constraints and opportunities plan with supporting text and/or visuals to explain their design rationale in a design statement proportionate to the proposal (which could be part of a Design and Access Statement, Planning Statement or other demonstration of compliance with other plan policies that may be relevant), which should address the relevant checklist points set out in Appendix 1.1.

## MAKING EFFICIENT USE OF LAND

### Policy context

- Oxford is a compact city with a growing population and strong economic growth.
- It has tightly drawn boundaries and within those boundaries are flood plains, areas important for nature conservation and a sensitive historic environment, meaning that growth opportunities are constrained.
- The competing needs and pressure for land in Oxford and the limited availability of land means that it is vital that efficient use is made of land that does come forward for development.
- There are already densely developed urban areas, but there is also potential to substantially increase this density.

### Policy implementation

- The policy requires all development makes efficient use of land.
- Transport hubs in the city and district centres, where development is infill and more likely to be flats and have very little need for parking should achieve very high densities.
- Careful design that responds to context is important at high densities to preserve and enhance valued features. Whilst the context of each site will be different, such features could include:
  - The potential for valuable archaeological remains to be present on the site which should be safeguarded through careful positioning of foundations
  - Whether there are sensitive views through the site which building heights should be tailored to avoid interrupting;
  - Whether there are deficiencies in particular types of green space which the proposal could help to address through provision on site
  - Whether there are opportunities to orient layout/rooftops to maximise solar gain on photovoltaics solar panels for renewable energy generation
- The city and district centres are defined on the Policies Map. Gateway locations are outside of these areas, but will be busy locations on significant roads and at the edges of suburban areas, rather than in the middle of them. All other areas are suburban, but some suburban areas are conservation areas that represent medieval villages now integrated in the city but still with a rural character, and that may sometimes need reflecting in lower density development.

## **POLICY HD2: MAKING EFFICIENT USE OF LAND**

Planning permission will only be granted where development proposals make efficient use of land and maximise capacity. It is expected that sites across the city will generally be capable of accommodating development at an increased scale and density to their surroundings.

Proposals should demonstrate that the built form:

- a) Maximises density; and
- b) Is appropriate for the use proposed; and
- c) Is informed by an understanding of the impacts on the significance of designated and non-designated heritage assets, including their setting and the potential for archaeological remains; and
- d) Protects and enhances green infrastructure features in accordance with Policies G; and
- e) Considers the opportunities for net zero carbon design, including energy efficiency measures, maximising renewable energy generation, reducing carbon dioxide emitted through construction process, and preserving carbon sinks; and
- f) Considers presence of flood risk and, where relevant, locating more vulnerable uses in locations with reduced flood risk, less vulnerable uses in areas of higher risk.

It is expected that very high-density development (for residential development this will indicatively be taken as over 100dph) can be achieved in the highly accessible locations of the district centres, and in the city centre, where feasible in the context of the impacts on heritage. High density development (indicatively to be taken as over 80dph) will be expected at gateway sites (in mixed use areas on the edges of city on the main road network), and high suburban densities (indicatively to be taken as over 60dph) will be expected in most other locations.

## **HERITAGE ASSETS**

Oxford's long history of settlement has resulted in a great density of heritage assets which, together and individually, contribute to the city's special character and unique sense of place. The city has many nationally designated assets (Conservation Areas, Listed Buildings, Registered Parks and Gardens and Scheduled Monuments) but also non-designated assets of local importance, including a wealth of archaeological remains. Managing change in a way that respects and draws from Oxford's heritage and landscape is vital for the city's continued success, and new development needs to respect and respond to this context, whilst taking opportunities to celebrate this history.

Successful design in Oxford means understanding this heritage and managing change that meets future needs (such as providing new homes, greening our streets and reaching net zero carbon) whilst seeking to prevent harm to the special significance of these heritage assets so that they can continue to be understood, valued and enjoyed for years to come. In all cases, significance must be understood, and the level of any harm on this significance must be weighed against public benefits, which could be wide ranging and will vary in magnitude but include delivery of needed homes and facilities and environmental improvements such as energy efficiency.

### Conservation areas

Oxford has eighteen conservation areas which are listed in Appendix 6.1 and defined on the Policies Map. These areas are designated heritage assets which are 'areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance' according to the Planning (Listed Buildings and Conservation Areas) Act 1990. Conservation areas include a diverse range of qualities reflecting the story of Oxford, from the medieval walled city to surrounding agricultural settlements, the open green space found in the Headington Hill Conservation Area to the meadows of the river valleys such as Wolvercote and Godstow. However, they all have the common element of containing features that link us to our past.

### Listed buildings

Oxford has a very high concentration of historic buildings, including those of great rarity, group value and high aesthetic value, and with associations to people and events of history that allows a visible understanding of the past and contributes to the city's unique character and distinctiveness. Many of these buildings are nationally designated, or 'listed', and are graded I, II\* and II, (though there is no legal difference in their protection):

- o Grade I buildings are those of exceptional interest
- o Grade II\* are particularly important buildings of more than special interest
- o Grade II are of special interest, warranting every effort to preserve them

### Registered parks and gardens

As well as forming an important part of the green infrastructure network, many parks and gardens in Oxford are an important part of appreciating and understanding the city's heritage. Fifteen parks and gardens in the city are nationally designated heritage assets known as registered parks and gardens and these include: five registered as Grade I, one registered as Grade II\*, and nine registered as Grade II. They represent a dense network of assets, that covers a significant proportion of the city, many helping to frame the Oxford's relationship with the River Cherwell. The majority of the Registered Parks and Gardens are related to colleges, conveying in rich detail the integrated way in which the colleges have been designed and developed. They have a pivotal role in shaping how the city's institutions and the boundaries between the public and private realms are experienced. Some (such as Oxford Botanic Garden) have a particularly important educational role linked with botany, genetics and related research. In addition to the colleges, Oxford's Registered Parks and Gardens include High Wall in Pullens Lane, Park Town and St Sepulchre's Cemetery.

### Scheduled Monuments

Scheduled Monuments are another type of nationally designated asset. A heritage asset is only made a Scheduled Monument if it is of national importance and also if that is the best means of its protection. They may or may not be visible above ground. There are 9 Scheduled

Monuments in Oxford, which are varied in age and type. They are the remains of Osney Abbey and Rewley Abbey, Oxford Castle and the City Walls, Seacourt Medieval Settlement, Old Abingdon Road Culverts, Grandpont Causeway, Port Meadow, and the Swing Bridge near Oxford Station.

## DESIGNATED HERITAGE ASSETS

### Policy context

- Heritage assets are not locked in time and changes can be carried out as long as this is thoughtfully done and in a manner that preserves the notable features of the heritage asset that contribute to its significance and the reason it is protected. For example, historic buildings need to be repaired and adapted to meet the changing needs of occupants, or to respond to the climate emergency.
- The setting of a heritage asset can be integral to understanding and appreciating heritage significance, and understanding the setting is also essential in determining potential harm and how to minimise it.
- Conservation area appraisals describe the distinctive character, appearance, and historic interest of conservation areas, whilst associated management plans help to articulate appropriate responses to local issues and pressures. These are published on the City Council's [website](#).
- When a building is listed, all of the building itself, anything fixed to it, and also most buildings and structures in its grounds (the curtilage) are part of the listing. The inside as well as the outside of a building is listed, though not all features necessarily contribute to its significance.

### Policy implementation

- Proposals will need to consider the potential for direct impact upon the significance of a heritage asset, and/or its setting and where there is potential for impact on a designated heritage asset the application should be accompanied by a heritage statement. The policy sets out expectations for what this should cover, and Historic England have produced guidance on what should be included in a heritage statement and how they should be structured ([Statements of Heritage Significance: Analysing Significance in Heritage Assets](#)).
- Where proposals seek energy efficiency upgrades to a listed building to mitigate the impacts of climate change, Policy R3 should be read in conjunction with this policy to help ensure that such projects do not result in maladaptations that can impair the building's performance and lead to unnecessary capital and carbon costs.
- The registered parks and gardens all have associated listed buildings and form a significant part of the setting of those listed buildings, so the impact of any proposals on associated heritage assets will also be a key consideration, as will the potential for impacts on archaeological remains if below-ground works are proposed (see policy HD6). Due to their contribution in the wider setting of these assets, the criteria in paragraph 214 of the NPPF

referred to in Policy HD3, about viable uses, grant-funding and bringing the site back into use, are unlikely to apply.

- The registered parks and gardens designation requires local authorities to consult Historic England on development affecting Grade I and II\* Registered Parks. It also requires local authorities to consult the Garden History Society on works to all grades of parks and gardens.
- Pre-application engagement with Historic England is strongly encouraged for all proposals that are likely to affect the significance of a Scheduled Monument. Historic England can advise on the need for Scheduled Monument Consent (SMC) in addition to planning permission.
- Any work, internal or external, that will affect the special interest of a listed building is likely to require Listed Building Consent, an additional consent to planning permission.

### **POLICY HD3: DESIGNATED HERITAGE ASSETS**

Planning permission will be granted for development that respects and draws inspiration from Oxford's designated heritage assets, responding positively to their significance, character and distinctiveness and enhancing it where possible.

Applications affecting a designated heritage asset directly or by affecting its setting will be considered in line with the approach set out in the NPPF (*National Planning Policy Framework*) paragraphs 207-221 (or updated equivalent), whereby the level of harm will be assessed and weighed against the public benefits of the proposal, and the relevant tests in the NPPF applied in that context.

The understanding of harm will be based on an understanding of context, including a description of the designated heritage asset and its significance, and an assessment of the impact of the proposed development on its significance. In cases where a proposal could result in less than substantial harm, this will need to be clearly and convincingly justified within the heritage statement. Substantial harm to or loss of significance of a designated heritage asset should be exceptional in the case of Grade II assets and wholly exceptional in all other cases, and planning permission or listed building consent will only be granted if the requirements of paragraph 214 (or the equivalent in any update) of the NPPF can be demonstrated as set out in a heritage statement.

A heritage statement must include information sufficient to demonstrate:

- a) An understanding of the significance of the heritage asset, including recognition of its contribution to the quality of life of current and future generations and the wider social, cultural, economic, and environmental benefits they may bring; and
- b) That the development of the proposal and its design process have been informed by an understanding of the significance of the heritage asset including its setting and that harm to its significance has been avoided or where it's not possible, any harm has been minimised through thoughtful design; and
- c) That, in cases where development would result in harm to the significance of a heritage asset, the level of harm has been properly and accurately assessed, that alternative designs to respond to heritage constraints and/or opportunities have been explored, and that measures are incorporated into the proposal that mitigate or reduce the harm where appropriate.

#### Specific considerations for listed buildings

Proposals relating to a listed building should take into account its rarity, group value and how it illustrates the past and helps our understanding of it, including how it reveals its historic, architectural, archaeological and/or artistic interest.

#### Specific considerations for registered parks and gardens

Proposals for change within a Registered Park and Garden should take into account:

- d) The scope for a landscape-led approach;
- e) Opportunities to reveal significance and/or enhance its appreciation;
- f) The relationship between the development site and the River Cherwell and/or other water features, as appropriate;
- g) Impacts on any key views, having agreed those key views with the City Council;
- h) How the treatment of boundaries may impact on significance;
- i) Archaeological impacts if below-ground works are proposed.

#### Specific considerations for conservation areas

Certain features may be characteristic and add to the significance of a particular conservation area, and planning applications should set out how these have been responded to sensitively to create contextually responsive proposals. These features will be set out in conservation area appraisals and management plans, and may include, but are not limited to:

- j) The urban grain such as specific settlement patterns, plot types and groupings of buildings and their relationship to each other and the wider area;
- k) Proportions, such as height and massing, may be characteristic and may be harmed by developments that do not relate well to these;
- l) Views, including focal points at the end of a view, glimpsed views of spaces beyond and between;
- m) Trees and other landscape features, including backdrops to views;
- n) Boundary treatments, which may include railings, walls and hedges; and/or
- o) Architectural details such as the palette of materials, windows and doors, proportions, and rhythms.

Conservation areas are listed in Appendix 6.1 and defined on the Policies Map.

## NON-DESIGNATED HERITAGE ASSETS

### **Policy context**

- The term 'heritage asset' describes valued components of the historic environment such as buildings, monuments, sites, places, areas or landscapes that have been positively identified as having a degree of significance meriting consideration in planning decisions.
- Some heritage assets are not nationally designated in the same way that the assets are as discussed in HD3). Policy HD4 addresses the various other assets that have a local relevance that do not merit a national-level designation, but which are still important to consider in determining planning applications (and in developing proposals).



- There are many non-designated assets identified in the Oxford Heritage Asset Register, though the register is not an exhaustive list. Non-designated heritage assets may also be identified through the conservation area appraisal, neighbourhood planning, or the planning application process.

### **Policy implementation**

- Once identified, however it is identified, it is important that a non-designated heritage asset is carefully considered in proposals, including how its significance may inform and be incorporated into proposals.
- If the loss of significance of any asset is justified by the public benefits outweighing the level of harm or the loss, the significance must still be recorded.

### **POLICY HD4: NON-DESIGNATED HERITAGE ASSETS**

A non-designated building or group of buildings, monument or site, place or landscape will be considered a local heritage asset if it has local interest, value, and significance. These assets may be identified in a number of ways such as through the Oxford Heritage Assets Register, conservation area appraisals, or the planning application process.

Planning permission will only be granted for development affecting a local heritage asset or its setting if it is demonstrated that due regard has been given to the impact on the asset's significance (including its setting) and that it is demonstrated that the significance of the asset and its conservation has informed the design of the proposed development.

In determining whether planning permission should be granted for a development proposal that affects a local heritage asset, consideration will be given to the significance of the asset, the extent of impact on its significance, as well as the scale of any harm or loss to the asset.

Recording should take place to advance understanding of the significance of any assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and that is publicly accessible. The ability to provide publicly accessible recording will not be a factor in deciding whether such loss should be permitted.

Non-designated heritage assets of archaeological interest, which are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the requirements of Policy HD4.

## **ARCHAEOLOGY**

### **Policy context**

- Oxford has a rich archaeological heritage, from prehistoric times to the modern day, and encompasses a wide variety of asset types. Some of these are formally designated heritage assets such as Scheduled Monuments, however many assets of comparable

significance are not currently designated and warrant appropriate protection through the planning system. Notable assets include:

- prehistoric domestic, ritual, and funerary sites located across north Oxford and the remains of an important Roman pottery manufacturing industry to the south and east of city.
  - middle-late Saxon urban remains, arising from Oxford's emergence as a major cloth trading town in the Norman period.
  - Numerous assets associated with Oxford's development as an international centre for academic study including the remains of multiple religious institutions, academic halls and endowed colleges.
  - Other assets of note include the town defences, the distinctive remains associated with the medieval Jewish Community and the Royalist Civil War defences.
- It is important that archaeological remains are preserved in situ wherever possible and, because these assets can't be renewed, it is essential they are managed carefully and treated with respect.
  - New development has the potential to harm or destroy these assets where their presence is not appropriately investigated, and impacts are not carefully mitigated. The potential impacts of cumulative harm or loss are significant and should also be considered.
  - Owing to the richness of archaeological remains in Oxford, especially in the historic core, there is a danger that allowing the recording of deposits rather than preservation in situ for several individual developments will lead to significant degradation of the archaeological record. In those cases, further work to ensure adequate contextual assessment and mitigation may be required, that takes into account cumulative impacts.

### **Policy implementation**

- The medieval core of the city (the City Centre Archaeological Area defined on the Policies Map) has an exceptionally high concentration of archaeological remains, as do some allocated sites and other known locations, so the policy requires that any significant breaking of the ground in these locations will require an archaeological assessment within the heritage statement.
- Development within the City Centre Archaeological Area has a high potential to harm the heritage value of the sites, if not carried out sensitively. There are many things to consider as part of the design of developments at these sites, so a comprehensive approach is essential that ensures archaeology, and cumulative impacts on archaeological remains, is an integral part of considerations of how to develop a site.
- An archaeological assessment may also be required outside of these areas where it is suspected there are archaeological remains.
- There are known concentrations of past human activity in many parts of Oxford, and early discussion with the City Council to ascertain whether an archaeological assessment is required is strongly advised.

## **POLICY HD5: ARCHAEOLOGY**

Within the City Centre Archaeological Area, on allocated sites where identified, or elsewhere where archaeological deposits and features are suspected to be present (including upstanding remains), applications should be accompanied by a heritage statement. A heritage statement should include and be informed by a description of impacted archaeological deposits or features (including where relevant their setting) that should as a minimum be informed by relevant information from the Oxford Historic Environment Record.

The heritage statement or, if appropriate, archaeological desk-based assessment should contain:

- a) An explanation of how early assessment has informed the design of the proposal, and how this seeks to preserve deposits and features in situ, avoiding adverse effects from poor siting of foundations, drainage features and hard landscaping; and
- b) An assessment of the impact of the proposed development on the significance of the deposits or features, using a proportionate level of detail that is sufficient to understand the potential impact of the proposal on that significance.

If appropriate, a full archaeological desk-based assessment may be required and potentially field evaluation. This should be undertaken by an appropriately qualified contractor. Pre- application discussion is encouraged to establish requirements.

In the City Centre Archaeological Area, where significant archaeological asset types can be shown to be subject to cumulative impact from development, the desk-based assessment should contain appropriate contextual assessment of this impact.

For larger developments in the City Centre Archaeological area, the desk-based assessment should also include a whole site plan (which may be beyond the red line to include a whole campus site, for example) that shows current understanding of any basement and underground servicing, likely locations of hidden archaeological remains, other related heritage assets (including settings) to be considered and explain how this whole-site understanding has helped inform decisions about the layout and location of the development.

Development proposals that affect archaeological deposits and features will be supported where they are designed to enhance or to better reveal the significance of the asset and will help secure a sustainable future for it.

Proposals which would or may affect archaeological deposits or features that are designated heritage assets will be considered against the relevant policy approach (Draft Policy HD2 Listed Buildings, Draft Policy HD4 Scheduled Monuments).

Subject to the above, proposals that will lead to harm to the significance of non-designated archaeological deposits or features will be resisted unless a clear and convincing justification through public benefit can be demonstrated to outweigh that harm, having regard to the significance of the deposits or features and the extent of harm. Where harm to an archaeological or paleoenvironmental asset has been convincingly justified and is unavoidable, mitigation should be agreed with Oxford City Council and should be proportionate to the significance of the asset and impact. The aim of mitigation should be to minimise harm, to promote public enjoyment of heritage and to record and advance

knowledge. Appropriate provision should be made for investigation, recording, analysis, conservation of remains, publication, archive deposition and community involvement.

## VIEWS AND BUILDING HEIGHTS

### Policy context

- Taller buildings, designed with care and attention, can help to ensure efficient use of land and can make a positive design contribution.
- Tools such as VuCity are available to assist with assessing proposals for taller buildings.
- Particular care needs to be taken over the design and placement of taller buildings in Oxford because development might be in the setting of the buildings which form the iconic 'dreaming spires'. These buildings are a collection of nationally and internationally important buildings of historic and architectural significance. They sit in a compact area in the core of Oxford, which is raised slightly on a gravel terrace, giving more prominence to these historic buildings, and meaning that Oxford's unique skyline can be viewed as a single entity whose composition varies according to the direction of viewing. Taller buildings should not negatively impact on views of the iconic skyline.
- If it is established that a taller building is appropriate in a particular location (e.g. in district centres and on arterial roads), it is important it is designed to ensure it contributes positively to the character of the area, that it does not detract from the amenity of its surroundings, that it is sustainable and creates a good internal environment.

### Policy implementation

- The High Buildings Study Technical Advice Note (TAN) should be referred to ([Technical Advice Notes](#)). The TAN document supports and provides further information and guidance in relation to high buildings, including how to assess whether a building is a 'high building', what the impact of that height might be and the areas of Oxford where proposals for new high buildings are more likely to be appropriate.
- The area within a 1,200 metre radius of Carfax tower (defined on the Policies Map as the Historic Core Area) contains all the buildings that comprise the historic skyline and where new buildings have high potential to impact on the character of the skyline.
- The View Cones Assessment (2015) ([Oxford View Cones](#)) should also be referred to. It sets out a methodology for heritage impact assessment of proposals that could affect the significance of one or more heritage assets and applies this to each of the 10 view cones which are shown drawn as triangles from important viewing points on the Policies Map. Within view cones, proposed new buildings must not detract from the skyline and composition, and even where they will not intrude directly on to it their effect as a frame to it must be considered. Tall buildings that are proposed outside of the view cones might still have an impact on the historic skyline and the View Cones Assessment has guidance that will support assessing impacts of these too.

- To create more visual diversity which enhances the experience of the skyline, the articulation of roofscape, and relatively short units of building are encouraged, with features to create a break in the line incorporated. A maximum ridge or parapet length of 25 metres without either a substantial vertical or horizontal break or interrupting features is a rule-of-thumb guideline that will be followed for Oxford's skyline.
- The City Council will resist the loss of any features, such as chimneys, if the loss would result in a simplification of the skyline.

## **DRAFT POLICY HD6: VIEWS AND BUILDING HEIGHTS**

Planning permission will only be granted for development that will retain or enhance the special significance of views of the historic skyline of the Historic Core Area.

Planning permission will be granted for developments of appropriate height or massing. If the proposal is for development above the prevailing heights of the area and could impact on character or views, the application must demonstrate how all of the following criteria have been met:

- a) Design choices regarding height and massing have a clear design rationale; and
- b) The guidance on design of higher buildings set out in the High Buildings Study TAN has been applied. In particular, the impacts in terms of the four visual tests of obstruction, impact on the skyline, competition and change of character should be explained; and
- c) Proposals have been designed to have a positive impact on important views including both into the historic skyline and out towards Oxford's green setting, through their massing, orientation, the relation of the building to the street, and detailed design features including roofline and materials (including colour); and
- d) Taller buildings have been designed and orientated to avoid potential negative impacts, including on neighbouring amenity, such as overshadowing, overbearing and overlooking, reduced internal daylight and sunlight and wind-tunnel effects.

The area within a 1,200 metre radius of Carfax tower (the Historic Core Area) contains all the buildings that comprise the historic skyline, so new developments that exceed 18.2m (60ft) in height or ordnance datum (height above sea level) 79.3m (260ft) (whichever is the lower) are likely to intrude into the skyline. Development above this height must be limited in bulk and must be of the highest design quality.

Applications for any building that exceeds 15 metres (or the height that the High Buildings TAN says may be impactful in that area if that is higher) will be required to provide extensive information so that the full impacts of any proposals can be understood and assessed, including:

- e) A Visual Impact Assessment, which includes the use of photos and verified views produced and used in a technically appropriate way, which are appropriate in size and resolution to match the perspective and detail as far as possible to that seen in the field, representing the landscape and proposed development as accurately as possible (produced in accordance with the Landscape Institute's GLVIA 3d Edition and Technical Guidance note TGN 06 19 or updated equivalents); and
- f) Use of VuCity 3D modelling (or equivalent if updated by the City Council in future), shared with the City Council so that the impact of the development can be

understood from different locations, including any view cone views that are affected; and

- g) A heritage impact assessment if the proposal would harm the significance of a designated heritage asset including through development in its setting (or a group of assets and their settings) informed by the methodology outlined in the Assessment of the Oxford View Cones report, a full explanation of other options that have been considered that may be less harmful, how that harm has been avoided or minimised, a justification that the benefits outweigh the harm and open book viability assessment if relied upon in the explanation.

Any proposals within the Historic Core Area or the View Cones that may impact on the foreground of views and roofscape (including proposals where they are below the Carfax datum point, for example plant) should be designed carefully, and should meet the following criteria:

- h) They are based on a clear understanding of characteristic positive aspects of roofscape in the area; and
- i) They contribute positively to the roofscape, to enhance any significant long views the development may be part of and also the experience at street level.

Planning permission will not be granted for development proposed within a View Cone or the setting of a View Cone if it would harm the special significance of the view. The View Cones and the Historic Core Area (1,200m radius of Carfax tower) are defined on the Policies Map.

## HEALTH IMPACT ASSESSMENT

### Policy context

- The built and natural environment is a key determinant of our health and wellbeing, and therefore it is crucial that through the planning system we plan for and design healthier built environments. This will encourage and support good physical and mental health and also help to reduce health inequalities.
- Health Impact Assessments (HIAs) help ensure that development proposed in Oxford promotes and contributes to healthy place shaping.
- Proposals should consider health outcomes from the outset.

### Policy implementation

- Those proposing major development are expected to undertake and submit a HIA in support of their application. The scope of assessment for the HIA, including the issues it needs to cover, will vary with the nature of the development; however the structure of the assessment will need to follow a logical format that addresses the key steps outlined in the policy. These steps are important in enabling the HIA to be as targeted as possible and appropriately

scoped to provide the most benefit in terms of the key issues of relevance to the development.

- The analysis presented within the HIA should be of a sufficient level of detail to allow the Council to make a clear determination as to impacts the development will have on the health environment of the city. The analysis should be evidence based and set out how design of the development has taken into consideration the relevant health concerns and how it addresses these including where opportunities have been taken to achieve positive impacts and to avoid or mitigate negative impacts that could exacerbate issues and inequalities.
- Supporting information for how to undertake a HIA including helpful resources can be found in Appendix 6.2 and within the Council's Health Impact Assessment Technical Advice Note.

## **DRAFT POLICY HD7: HEALTH IMPACT ASSESSMENT**

A Health Impact Assessment (HIA) is required to be submitted as part of the planning application for major development proposals.

The analysis within the submitted HIA should be of a sufficient level of detail to allow the Council to assess the potential impacts of the development on the health environment of the city and its residents. As a minimum, the assessment should include the following:

- a) A description of the physical characteristics of the proposed development site and surrounding area, including the current use; and
- b) Identification of relevant population groups that could be affected by the development and associated health issues, inequalities and priorities in the area, which should be supported with appropriate evidence/data; and
- c) An assessment of the impacts of the proposal on the identified population groups and local health issues, inequalities and priorities, including any potential positive and negative impacts, along with any mitigation measures incorporated into the design to reduce identified negative outcomes; and
- d) Details of monitoring which will be undertaken in relation to the proposed mitigation to be implemented.

The level of detail should be proportionate to the development and agreed with the relevant case officer. Applicants should refer to the additional information and guidance contained in Appendix 6.2 and the Council's Technical Advice Note.

## **PRIVACY, DAYLIGHT AND SUNLIGHT**

### **Policy context**

- Ensuring all homes are built with adequate privacy, daylight and sunlight (internal and external) helps to ensure the wellbeing of residents.
- It is also important to consider the impacts on neighbouring residential properties to ensure they do not lose their sense of privacy.

- Homes that do not provide a good quality living environment will not be long-lasting, which is not a sustainable approach.
- This policy is particularly important in the context of Oxford, where high density development is expected in some areas of the city to make efficient use of land.

### **Policy implementation**

- The policy approach will ensure that new development provides adequate daylight and privacy for existing and new residents
- Potential for unacceptable overlooking will depend on the proximity of windows to neighbours' habitable rooms and gardens and the angles of views and gardens.
- New homes' access to daylight and sunlight will depend on both the way new and existing buildings relate to one another, and the orientation of windows in relation to the path of the sun.
- Windows that are overshadowed by buildings, walls, trees, or hedges, or that are north facing, will receive less light.

## **POLICY HD8: PRIVACY, DAYLIGHT AND SUNLIGHT**

Planning permission will only be granted for new development that provides reasonable privacy, daylight and sunlight for occupants of both existing and new homes and sensitive workplaces such as schools. Proposals should demonstrate consideration of all of the following criteria:

- a) Whether the degree of overlooking to and from neighbouring properties or gardens resulting from a proposed development significantly compromises the privacy of either existing or new homes (or existing other uses where there might be a safeguarding concern, particularly schools); and
- b) The size and orientation of windows in both existing and new developments in respect of access to daylight, sunlight, and solar gain (i.e. natural heating from direct sunlight); and
- c) Room depths in relation to maximising natural light; and
- d) Existing and proposed walls, hedge, trees, and fences, in respects of protecting or creating privacy and also in respect of their impact on overshadowing of both existing and new development.

To assess access to privacy, sunlight, and daylight in residential developments, the 25 degree and 45-degree guidelines will be used as illustrated in Appendix 6.3, alongside other material factors. On constrained sites with proposals for specialist accommodation, developers may use other methods to demonstrate that dwellings will receive adequate daylight.

Planning permission will not be granted for any development that has an overbearing effect on existing homes.



# INTERNAL SPACE STANDARDS FOR RESIDENTIAL DEVELOPMENT

## Policy context

- It is important to ensure that all new homes are of an adequate size and layout to provide high quality, functional homes that meet the needs of a wide range of people and can adapt to how those needs may change over time.
- Requiring space standards is particularly important in Oxford because the pressure to deliver more homes can lead to increased pressure to deliver smaller homes, which do not offer occupiers acceptable living standards or meet the national aim that everyone should have access to a decent home.
- Government policy is clear that either the national space standards can be applied, if justified, or no standards can be applied.
- The City Council has carefully considered the local need for space standards and the viability impact of taking such an approach and has decided to adopt the nationally described standards.

## Policy implementation

- All new dwellings (C3) should be built to meet the nationally described space standards.
- Designs should maximise the useable space within housing through functional layout and provide scope to adapt and modify housing to meet future requirements.
- In addition, minimum bedroom sizes for HMO are governed by the Licensing of Houses in Multiple Occupation (mandatory Conditions of Licences) (England) Regulations 2018.

### **POLICY HD9: INTERNAL SPACE STANDARDS FOR RESIDENTIAL DEVELOPMENT**

Planning permission will only be granted for new dwellings that provide good quality living accommodation for the intended use. All proposals for new build market and affordable homes (across all tenures) must comply with the Nationally Described Space Standards.

In flatted schemes, communal areas must be designed to enable neighbours to meet and interact, for example some fixed seating, and wider areas of corridor or lobby space.

## OUTDOOR AMENITY SPACE

### Policy context

- The adequate provision of outdoor amenity space is a key factor in supporting the physical and mental health and wellbeing of residents. It provides a space to dry clothes, play, grow

plants and vegetables, and can provide shade and limit urban heat-island effects. In addition, if the space is designed with permeable surfaces it can contribute towards flood risk management.

- Where high density development and subdivision of properties are expected, and where many sites are infill development, high standards for the delivery of good quality outdoor amenity space becomes increasingly important to ensure the health and wellbeing of residents.

### **Policy implementation**

- The policy is flexible in how outdoor amenity space is to be delivered, allowing communal/shared outdoor amenity spaces.
- In all cases, including where there is shared/communal outdoor space, the outdoor amenity space must not be public open space.
- Flats of 3 or more bedrooms and all houses must have an element of private (to that property) outdoor amenity space, which is 1.5m deep by 3m long and which allows for outdoor dining and clothes drying.
- A garden of adequate size and proportions for a house will have space for children to play in, and for family activities. It is important that both public and private amenity and garden spaces are well designed, to ensure that it is clear how each of the spaces are used without the need for extensive signage, avoiding narrow pathways to link spaces, optimising sunlight, and ensuring principles of good landscape design are incorporated.

## **POLICY HD10: OUTDOOR AMENITY SPACE**

Planning permission will only be granted for dwellings (HMO and Use Class C3 except self-contained student accommodation) and the subdivision of dwellings, that have direct, well-related and convenient access to an area of private or communal (but not public) outdoor amenity space (in addition to bin or bike storage space), to meet the following specifications:

- a) 1- or 2-bedroom flats and maisonettes should provide either a private balcony or terrace of usable, level space, or have direct and convenient access to a private or shared outdoor space.
- b) Flats and maisonettes of 3 or more bedrooms must provide private outdoor areas with space for outside dining and/or clothes drying, with a minimum dimension of 1.5 metres depth by 3 metres length. This may be either a private balcony or terrace of useable level space, or direct and convenient access to a private garden or shared garden with some private space (which should not feel isolated).
- c) All houses should provide a private garden, of adequate size and proportions for the size of house proposed, which will be at least equivalent in size to the footprint of the dwelling as built originally. For developments including more than one house, where a directly accessible private outside area is provided, the remaining requirement for outdoor amenity space could be met by provision of shared outdoor space that can be directly and conveniently accessed. The private outdoor areas should allow space for outside dining and/or clothes drying, with reasonable circulation, which will require a minimum dimension of 1.5 metres deep by 3 metres long.

It should also be shown how the following factors have been considered in order to ensure an outdoor space that is adequate and attractive to use:

- d) The location and context of the development, in relation to the layout of existing residential plots, and proximity to public open space; and
- e) The orientation of the outdoor area in relation to buildings and the path of the sun so that the whole outdoor space will not be continuously in shade or over-exposed; and
- f) The degree to which enclosure and overlooking impact on the proposed new dwellings and any neighbouring dwellings; and
- g) The overall shape, access to and usability of the whole space to be provided; and
- h) Clear delineation between public and private space; and
- i) For communal spaces that there is a variety of space, including provision of space to sit and to play, and that space is adaptable to the changing needs of residents, being easy to maintain with resilient materials, but with opportunities for communal gardening or food growing.

## ACCESSIBLE AND ADAPTABLE HOMES

### Policy context

- Housing provision across the city should meet the needs of everyone, which means provision must be made for those with disabilities by considering the requirements people will have from their homes and how this may change over time.
- Adaptability is important to respond to changes to the size and compositions of households, and an ageing population. Adaptable homes can help older people and those with chronic health conditions and other specialist housing needs remain in their homes, maintaining their independence and helping to alleviate pressure on health and social care.
- The Census 2021 showed 5.3% of the population of Oxford are 75 or over. This is lower than the national average and the trend of Oxford having a markedly young population compared to the national average is expected to continue, but the older population will also continue to grow as people are living longer.
- The Census 2021 also shows that 29% of households in Oxford have one or more people with a disability. The Government has found that 34% of disabled people have had to make adaptations to their homes <https://www.gov.uk/government/publications/uk-disability-survey-research-report-june-2021/uk-disability-survey-research-report-june-2021>;
- Local authorities can adopt a policy to provide enhanced accessibility or adaptability through requirement M4(2). Accessible and adaptable dwellings and/or M4(3) Wheelchair user dwellings in 'Approved Document M: access to and use of buildings)

### Policy implementation

- Considering that the number of people with a disability is likely to grow, especially with an aging population, the policy requires at least 15% of general market homes to be adaptable according to current needs.

- To ensure available provision for the full range of households on the housing register, and to avoid exclusion, for affordable homes all new homes should at least meet the M4(2) requirement to be accessible and adaptable.

## **POLICY HD11: ACCESSIBLE AND ADAPTABLE HOMES**

Proposals for residential development should ensure that all affordable dwellings and 15% of general market dwellings on sites of 10 or more dwellings are constructed to the Category 2 standard as set out in the Building Regulations Approved Document M4.

5% of all dwellings for which the City Council is responsible for allocations or nominations, on sites of more than 20 dwellings, should be provided to Category 3 (wheelchair user) standards as set out in the Building Regulations Approved Document M4. These M4(3) dwellings should be able to be adapted to the needs of the household who will be occupying them, ahead of their occupation.

An exception will be made for flatted schemes that are of three storeys or fewer and/or that are smaller than 50 units, whereby planning permission will be granted when no dwellings meet the requirements of Building Regulations Approved Document M4, if the following conditions are met:

- a) It can be demonstrated that there are strong design reasons for providing blocks of flats with a small number of storeys, and it is not purely to circumvent the requirement; and
- b) It can be demonstrated that options to provide affordable units in an alternative way that enables level access have been explored, including where possible providing the dwellings required to meet M4 standards on the ground floor.

## **BIN AND BIKE STORES AND EXTERNAL SERVICING FEATURES**

### **Policy context**

- Cycling is popular with Oxford residents and should be encouraged on new developments by incorporating well-designed, secure and easy to use bike storage facilities as part of the move away from cars.
- It is essential that new development optimises the opportunities for residents to recycle as much waste as possible by providing adequate, well-sited bin storage. Bin stores need to be accessible for collection and designed so as not to detract from the appearance and amenity of the area. Servicing features such as meter cupboards, pipes and gutters, flues, vents, and arials can create a cluttered appearance and detract from the design of the development. This impact can be lessened when they are designed as an integrated element of architecture. They can be used to add detail and rhythm to a facade.

- As the city moves towards becoming net zero there will need to be infrastructure to support this including EV (Electric Vehicle) chargers, air source heat pumps, solar panels etc. These need to be carefully sited and designed within new developments.

### **Policy implementation**

- Attention must be given to the incorporation of these storage and servicing features at the initial stages of the design process to ensure they are well sited and designed.
- Bicycle parking Standards are included in Appendix 7.4 and further advice and guidance is available in [Technical Advice Note 12 – Car and Bicycle Parking](#).
- Guidance on the numbers and sizes of bins that are required for different types of development and design and placement of stores is set out in the [Technical Advice Note 3](#) on Waste Storage.

## **POLICY HD12: BIN AND BIKE STORES AND EXTERNAL SERVICING FEATURES**

Bin and bike stores should be provided in new development and these and external servicing features should be considered from the start of the design process. For new schemes, planning permission will be granted where it can be demonstrated that:

- a) Bin and bike storage is provided in a way that does not detract from the overall design of the scheme or the surrounding area, whilst meeting practical needs including the provision of electric charging points for e-bikes where applicable; and
- b) External servicing features have been designed as an integrated part of the overall design, or are positioned to minimise their visual impact; and
- c) Materials used for detailed elements such as for stores or rainwater goods are of high quality so they enhance the overall design and will not degrade in a way that detracts from the overall design.

Planning permission will be granted for new external features such as bin and bike stores relating to existing developments unless they would cause significant harm to amenity through poor design and siting.