This topic addresses: Habitat regulations assessment, SSSIs, biodiversity in general and biodiversity net gain.

SA Objective:

10. To promote **good urban design** through the protection and enhancement of the **historic environment** and heritage assets while respecting local character and context and promoting innovation.

SEA Theme: Material assets, cultural heritage, landscape and archaeology.

Introduction

The importance of high quality design in creating places where people feel safe and rooted and wantto be is well recognised. Good design an enhance or create unique character, but is also about functionality, helping to make a place that is attractive for walking and cycling, that feels safer from crime and vehicle traffic and can help stimulate social interaction. Good design means resources are used more efficiently and maintenance costs are reduced. Good design is also linked to health and wellbeing, making space for nature, as well as building resilience to climate change.

Understanding of existing character, whether that is from natural or built features, is the starting point of creating good design. Strongly linked to that is identifying and understanding heritage assets. Heritage assets are strongly protected in national policy. In recent years there has been a subtle change in national policies that require the significance of heritage assets to be weighed up against the potential benefits of new development. There is also an increased understanding of thewide range of things that contribute to the importance of heritage assets, which includes the significance placed on them by local people.

Plans, Policies and Programmes

The National Planning Policy Framework (NPPF) 2019 and Planning Practice Guidance (PPG)

The NPPF (2019) places significant weight on good design as a means of bring about sustainable development, creating "better places", and bringing about development that is suitable and appropriate for the communities where it takes place. Paragraph 127 sets out how planning policy and decisions should ensure that development:

   a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
   b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

There is the expectation that design policies are developed alongside local communities in order to reflect the aspirations and defining characteristics of the local area (paragraph 125). The NPPF further requires that the greatest possible amount of clarity on what is expected with respect to design outcomes and requirements is facilitated as early as possible in the development process (para 126). It promotes the use of tools such as design guides and codes within instruments like local plans and supplementary planning documents to create a framework setting design standards and requirements, with the level of detail or prescription tailored to the specific setting.

Continued engagement during the development of emerging individual schemes is also encouraged, with the onus placed on local authorities and to some extent applicants/developers to ensure early local involvement in the evolution of schemes (paragraph 128). Local authorities are expected to be proactive in using methods such as design reviews, workshops and assessment frameworks such as Building for a Healthy Life to ensure design quality (paragraph 129).

Historic Environment

Paragraphs 184 to 202 of the NPPF contain policies specific to the historic built environment and heritage assets. The objective of the policies is to maintain and manage change to heritage assets in a way that sustains and, where appropriate, enhances its significance.

Heritage significance is the value of a heritage asset to this and future generations because of its heritage interest, which may be archaeological, architectural, artistic or historic. This significance may derive not only from its physical presence, but also from its setting.

'Great weight' is to be given to conservation and clear and convincing justification is required for all grades of harm, including through change to the setting, Justification must be on the grounds of public benefits that outweigh that harm (paragraphs 193 and 194). Public benefits will most likely be the fulfilment of one or more of the objectives of sustainable development as set out in the NPPF, provided the benefits will endure for the wider community and not just for private individuals or corporations. In order to make a sound decision, a planning authority needs to understand from the applicant the significance of any heritage asset affected (paragraph 189). This may require some investigative work, but the information to be supplied with the application

should be proportionate to the asset's importance and the potential impact.

National Design Guide

The National Design Guide[1] is a material consideration and forms part of national planning guidance setting out the characteristics of well-designed places and demonstrating what the government considers good design to mean in practice. The guide outlines and illustrates ten characteristics of good design falling under the topics of Climate, Character and Community. The characteristics range from context, identity and built form, through to nature, public space, movement, and the uses on the site including homes and buildings, the resources used to construct them and their life span. Each is discussed in detail in the guide but are illustrated in the circular diagram in Figure XX, over the page.

Figure 1 – Ten characteristics of good design (DCLG National Design Guide 2021)
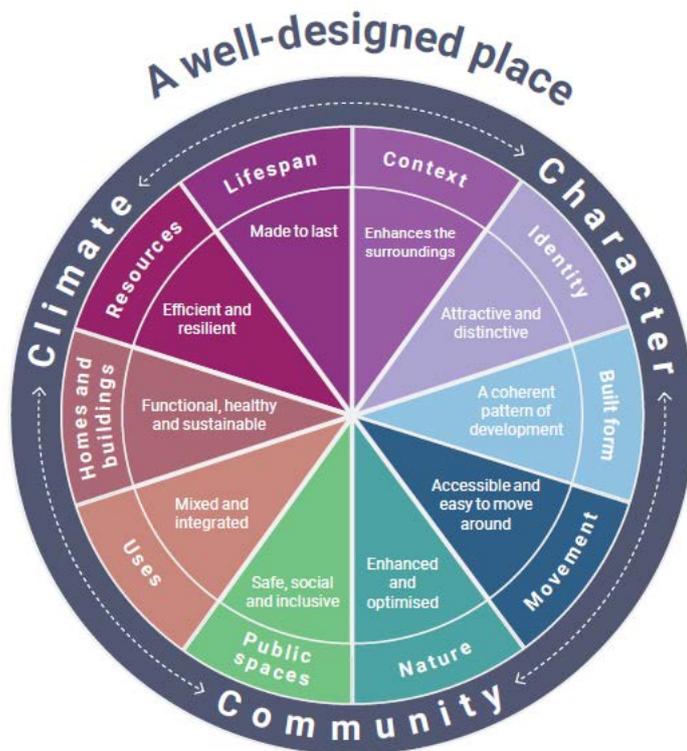
Proposed Changes to the Planning System/National Model Design Code

In late 2020 the government published a set of proposed wide-ranging reforms to the planning system, which were put out to consultation. A notable portion of the proposed reforms was a systematic and universally applied approach to ensuring high quality design and "beauty" in development schemes as well as an enhanced role for local communities in the design aspect of the development process. To that end a draft **National Model Design Code** (NMDC) has been published which builds off the recently published National Design Guide discussed above. The Code can be used as is, or serve as a framework for local authorities to develop their own localised codes.

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[1] https://www.gov.uk/government/publications/national-design-guide

The NMDC provides a list of principles that councils should consider when formulating their own codes, with more detailed definitions and proposed parameters included within the accompanying guidance note. In order to carry weight in planning decisions, these codes must be developed in collaboration with local communities and can be prepared at various scales from entire areas to individual sites. Where local codes are absent, it is expected that the NMDC can be a material consideration.

In line with the proposed reforms, a number of amendments to the NPPF have accordingly been put forward for consultation. While not comprising a wholesale revision, a number of paragraphs have been amended to account for running order changes and to reflect the new emphasis on design codes and masterplans.

The Government has also consulted on broader changes to the planning system through its white paper 'Planning for the Future', which was published in 2020. The changes set out in the reforms include a move to a zoning style of planning, whereby all land is designated under one of three categories. Planning permission would be implied for development meeting the requirements set out in areas of land designated for 'growth' and 'renewal', with more stringent control on applications falling within protected areas. Other implications include the proposition that development management policies would be set nationally, rather than through local plans. The outcome of the consultation is still to be announced, along with greater detail about how the changes would work in practice, but there is the potential for reduced control over new design through Local Plans themselves, with the focus being shifted to design codes that would set out expectations for local design in an area.

Planning policy guidance has been updated to take account of these proposals in various areas, such as the promotion of local design guides and design codes which are informed by the NMDC and developed by local authorities in conjunction with developers or neighborhood planning groups (paragraphs 005 and 008), the role of non-strategic policies and masterplans (paragraphs 3 and 6).

Current Situation

Context

Key to Oxford's character is the fact that it is located in a floodplain overlooked by surrounding ridges, which create a backdrop to the 'dreaming spires'. These ridges provide an important backdrop to Oxford's cityscape. Oxford's setting is defined by agricultural vales to the north and south, wooded hills to the east and the west and river valleys extending through the urban core of the city.

Oxford City has a distinct physical form. The river corridors running either side of Oxford's historic core are an essential part of its special character and landscape setting.

Oxford's character is also defined by its unique built environment. The iconic skyline and

architectureproduced by the limestone colleges and towering spires create a world famous urban environment. As set out in the Oxford Local Plan 2036: *"It is important that design choices about building heights are informed by an understanding of the site context and the impacts on the significance of the setting of Oxford's historic skyline, including views in to it, and views within it and out of it. Taller buildings will be possible in many locations, but they must be designed to ensure they contribute to the existing character, and do not detract from the amenity of their surroundings."*

Oxford has developed over a very long timeframe, with different parts of the city each having their own unique set of characteristics. There are various ways that the city might be divided into character areas. Areas within a typology are likely to have typical positive characteristics and similar potential threats and opportunities.

Figure 2. Landscape character areas of Oxford as identified in the Character Assessment of Oxford in its landscape setting and updated using research for the Heritage Assets Register Project
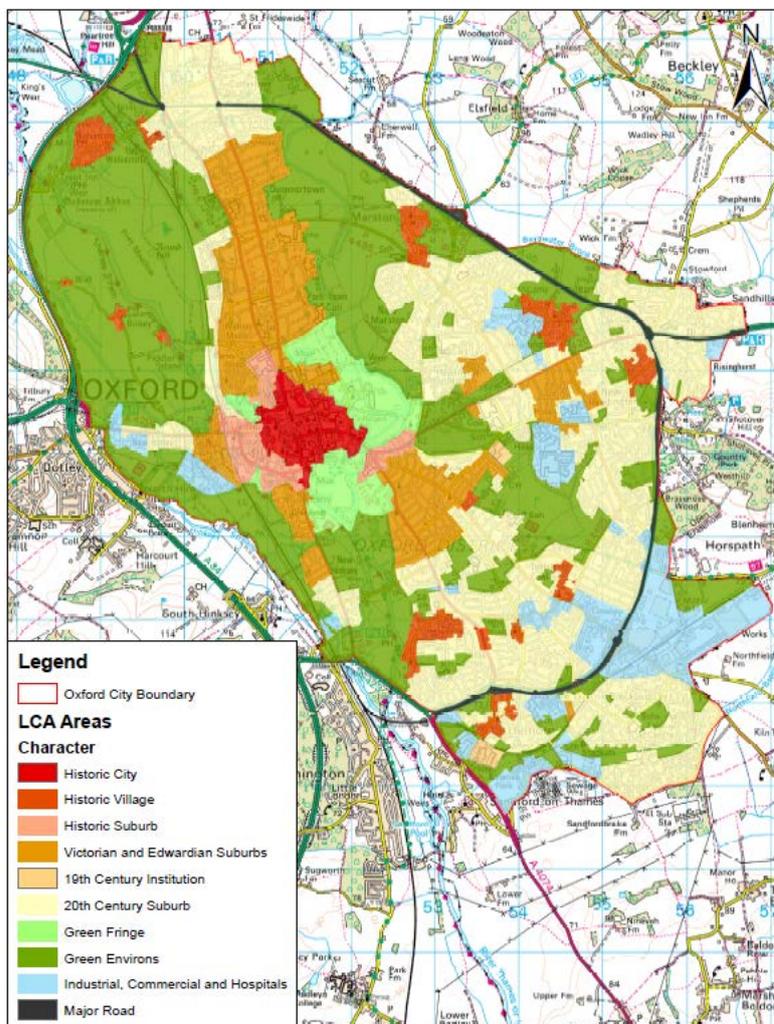
Oxford contains buildings spanning every major period of British architectural history from the 11th century onwards. It contains 10 scheduled monuments and 15 Historic Parks and Gardens. There are 18 conservation areas within Oxford and around 1,500 listed buildings, with the proportion of grade I and II* as a total of all listed buildings being more than twice the national average.

Oxford also has a rich archaeological heritage, from prehistoric times to the modern day. The unique archaeological heritage of the city encompasses a wide variety of asset types. 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. The town is also distinctive for its middle-late Saxon urban remains, its emergence as a major cloth trading town in the Norman period and for the 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 particular note include the town defences, the distinctive remains associated with the medieval Jewish Community and the Royalist Civil War defences.

Three of Oxford's heritage assets are currently on Historic England's Heritage at Risk Register, which identifies sites most at risk as a result of neglect, decay or inappropriate development. These are the Church of St Thomas the Martyr, St Thomas Street (condition poor, priority category C-slow decay; no solution agreed), Swing Bridge, near Rewley Road (condition very bad, priority F - Repair scheme in progress and (where applicable) end use or user identified; or functionally redundant buildings with new use agreed but not yet implemented) and Church of The Holy Family, Blackbird Leys (condition very bad, priority A - Immediate risk of further rapid deterioration or loss of fabric; no solution agreed).

Oxford continues to develop exciting new buildings at the forefront of modern architectural design. 5 of the 17 2016 RIBA south award winners were new buildings in Oxford, 3 of 9 in 2017, 4 of 8 in 2018 and 3 of 9 in 2019. Many of these award winners are within the historic core of Oxford and respond sensitively to that context, whilst successfully achieving modern and functional design that meets its brief.

The Oxford Design Review Panel has been set up to ensure that there is a consistently high standardof design for significant built environment projects. It aims to embed best practice in urban design into the planning process. The panel provides independent and impartial evaluation through a panelof built environment experts who assess the design of new spaces. Panellists have been selected fortheir expertise in a range of built environment disciplines including architecture, landscape architecture, engineering, heritage, town planning and urban design.

Relevant studies, assessments and toolkits

Assessment of the Oxford View Cones (Oxford City Council)

View cones are drawn as triangles from important viewing points to encompass the width of the area containing buildings that constitute Oxford's historic skyline.

A View Cones Assessment has been prepared to examine the significance of views, identifying their special qualities. The View Cones Assessment sets out a methodology for heritage assessment of theOxford views and applies this to each of the view cones. It describes and analyses the important

features of the view cones. The study enables a greater understanding of the significance of all partsof the view cones, i.e. not just the skyline. It is designed to aid understanding of the impact of proposals on views.

The 10 identified view cones do not represent an exhaustive list of viewing points that provide an important view of Oxford's skyline. There may be glimpses of the famous skyline in other locations, and tall buildings in particular that are proposed outside of the view cones might still have an impact on the historic skyline.

High Buildings Study (LDA, 2018)

The High Buildings Study is in two parts-the Evidence Base Report and the Technical Advice Note. The Evidence Base Report (EBR) summarises the current 'baseline' of Oxford and has utilised mapping and 3D city wide modelling. The 'baseline' analysis looks at townscape character areas, how the city is structured such as through identifying the location of the city centre, district centres, and the main transport routes, as well as the current nature of building heights across the city. The EBR looks at the geographical distribution of heritage assets within the city and the ways in which setting contributes to the heritage significance of these assets and their potential to be affected by high buildings. The EBR also considered where future growth in the city is planned or may be anticipated. The EBR concludes by identifying 'Areas of Greater Potential' for high buildings. These are areas that are relatively unconstrained by heritage considerations and also represent opportunities for high buildings such as at district centres and transport nodes. The Technical Advice Note (TAN) is a guidance document that supports policy within the Local Plan 2036 and aims to shape the growth of Oxford positively.

The Oxford Character Assessment Toolkit (Oxford City Council)

Oxford has developed over a very long timeframe, with different parts of the city each having their own unique set of characteristics. There are various ways that the city might be divided into character areas. Areas within a typology are likely to have typical positive characteristics and similar potential threats and opportunities.

The Oxford Character Assessment Toolkit has been prepared to help developers, planners and the community assess the character of areas within the city and to record features that contribute to a sense of place.

Planning policy requires developers to ensure their new developments complement and enhance the established character of the area. Therefore, using the character assessment toolkit helps prepare a baseline of evidence to inform the design of proposals, enables consideration of potential impacts of changes to character and appearance, and will help in identifying the means to integrate new development into the existing landscape successfully.

A Character Assessment of Oxford in its Landscape Setting (LUC, 2002)

The report was commissioned in recognition of the importance of the city's landscape and townscape and the changes it faces. The assessment looks at the component parts of the City, including its villages and neighbourhoods, and their individual characteristics which make up the city

as a whole. It considers the historic, cultural and architecturalassociations, open places, wildlife and natural habitats and perceptual characteristics that combine to create Oxford's sense of place. The study helps in understanding which open spaces in the city are important in landscape terms, which areas of the city are sensitive to change and merit protection and opportunities for enhancement.

Oxford Local Plan 2036

Existing policies from the Oxford Local Plan 2036 are working to protect the historic environment in Oxford. The design and conservation policies can be found in Chapter 6 'Enhancing Oxford's heritage and creating high quality new development'. The plan promotes high quality design and placemaking through Policy DH1:

Policy DH1: High quality design and placemaking

Planning permission will only be granted for development of high quality design that creates or enhances local distinctiveness.

All developments other than changes of use without external alterations and householder applications will be expected to be supported by a constraints and opportunities plan and 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 or a Planning Statement), which should cover the relevant checklist points set out in Appendix 6.1.

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 6.1.

In order to protect Oxford's unique historic environment described above, further policies in Chapter 6 include:

Policy DH2: Views and building heights
Policy DH3: Designated heritage assets
Policy DH4: Archaeological remains
Policy DH5: Local Heritage Assets
Policy DH6: Shopfronts and signage
Policy DH7: External servicing features and stores

Through Policy DH2, the City Council seeks to retain the significant views mentioned above, both within Oxford and from outside, in particular to and from the historic skyline. The policy states that *"Planning permission will not be granted for any building or structure that would harm the special significance of Oxford's historic skyline."*

Previous Policies

The 2019/20 Annual Monitoring Report (AMR) is based upon indicators relating to the now superseded policies from previous plans including the Core Strategy and the Oxford Local Plan

2001-2016, and as a result the statistics set out in the paragraph below relate to those previous policies.

According to the 2019/20 AMR, reporting on the Saved Local Plan 2001-16 historic environment policies, 45 appeals against a planning decision were determined in 2019/20 where these policies were cited as one of the reasons for refusal. Of these, 10 were allowed (22%). This comprises a decline compared to the previous AMR. Eight applications were received in 2019/20 which involved the partial demolition of a listed building. Although granting permission for the total, substantial or partial demolition of any listed building goes against the Core Strategy target, there were strong conservation reasons for permission this in all the cases approved in 2019/20 The approved proposals were all deemed to result in less than substantial harm to the significance of the listed buildings and/or their setting.

Likely trends without a new Local Plan

There is an on-going development pressure on historic assets and this is likely to remain the same over the coming years. However, a strong suite of historic environment policies remains in place within the Oxford Local Plan 2016-2036, up until 2036. There are areas where fairly significant amounts of development area expected, and these have 'Area of Change' policies within the Oxford Local Plan 2036, intended to help manage change within these areas.

The factors that enable the development of successful new buildings that are modern yet integrated are varied, and many will remain. The existing Local Plan policies such as DH1 ensure the design of proposals responds to its context from the start of the process and that sufficient information is submitted to allow a thorough understanding of the design implications. After 2036, Policy DH1 will no longer be a current policy and the NPPF will be the framework under which planning applications are determined. Although the proposed changes to the NPPF appear to reflect a move towards greater emphasis on 'beautiful' design, this would still lack the detail and specificity which is reflected in local level policies, particularly in a city like Oxford.

In addition to well-designed buildings, it is attention to walkability, landscaping, layout and availability of services that are vital to a positive experience of a place, wellbeing and health. The Oxford Local Plan 2036 identified areas of change. Without a new plan these areas of change may not provide guidance for the right areas.

As outlined above, beyond 2036, the planning policies for Oxford would revert to national level policy, as per the National Planning Policy Framework. For Oxford, this lack of local level policies could present a real risk to the unique heritage of the city. Local level policies are able to focus on a level of detail which applies to the specific setting of the local area, for example Policy DH2 of the Oxford Local Plan 2036: Views and building heights, relates specifically to Oxford's view cones and it iconic skyline. In the absence of this local specificity in planning policies, there would be greater risk that the level of detail which the city needs in order to protect Oxford's uniqueness would be lost.

Impacts of Covid

One of the results of the COVID-19 pandemic and the response to it has been a change in the way that people use the public realm, arguably engendering a greater appreciation of what is, and is not, on one's doorstep. There have been changes to travel, with increases in walking and cycling around people's local area. The quality of the spaces and routes in peoples' local areas have become more valued, and the ways in which places look and function have become more apparent as people spend more time in those spaces closest to their homes. Many leisure, community and other facilities have been closed. With limitations on leisure opportunities, the availability of attractive routes for walking and cycling and local green spaces for recreation has been vital to people's health and wellbeing.

There are clear links between urban design and health and wellbeing, and it is more important than ever that places are designed with an awareness of the impacts on these. In times of social distancing, design can also help reduce perceptions of risk. Designs that allow for safe social interactions and that help to instill a sense of community are very important. This means places designed to give space for people to interact safely and to feel comfortable in, with access to nature and opportunities for outdoor recreation and with an emphasis on designing spaces for people, not cars.

The climate emergency

The risks from climate change, such as milder, wetter winters and hotter, drier summers, will impact everyone in Oxford. Design should respond to the challenges of climate change. Buildings will need to help adaptation to climate change, for example by being well insulated and naturally ventilated to deal with potentially hot summers, reducing the risks and damages of flooding events, ensuring biodiversity is maintained, ensuring there are green spaces to absorb rainwater and reduce flood risk, and to provide natural shade in the summer.

In terms of our contribution to climate change, the running of buildings is responsible for 81% of carbon emissions of Oxford, 29% of the total being from the running of residential dwellings[2]. In Oxford there is a careful balance that needs to be struck between preserving heritage value and retro-fitting buildings to reduce their carbon contributions. However, we take as a starting point that historic buildings are inherently sustainable. The inherent embodied energy (i.e. the energy expended and encapsulated within the fabric of a building in its construction) of historic buildings means that their retention and care is consistent with modern concepts of sustainability and with the ambitions of reducing carbon emissions. The 'whole building approach' seeks to save energy, sustain heritage significance, and maintain a healthy indoor environment through understanding the building in its context.

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[2]
https://www.oxford.gov.uk/downloads/file/6660/climate_emergency_strategy_support_report_september_2019

How the Oxford Plan 2040 may help respond positively to the challenges and trends identified

The review of the trends, plans policies and programmes shows an ever-growing understanding of and emphasis on the importance of good urban design. National policy requires conserving and enhancing of the historic environment. The links between good urban design and health and wellbeing outcomes are clear and well understood. The National Model Design Code notes the importance of involving local communities in identifying the defining characteristics of their area, the positives and negatives and informing design guidance and codes.

The Oxford Local Plan 2040 can and should ensure continued protection of important heritage assets. It can ensure good design that is based on a thorough understanding of the constraints and opportunities of the site and the surrounding character. The challenge in developing the plan will be to provide more detailed design guidance than has been included in local plans previously. Local communities must be involved in identifying important characteristics of their areas and inputting into more area-specific design guidance. Design guidance should be more area-specific, with a holistic view of the specific needs of an area. Understanding what contributes to the valued characteristics of an area leads to an understanding of how to reflect and enhance those characteristics, helping to create a stronger sense of place. Consideration should also be given to what might threaten characteristics that are important to creating local distinctiveness. Based on this, a set of principles to guide design in the area could be developed and included in the character area summaries.

The importance of good urban design has been highlighted during the pandemic. Good urban design helps to address social inequalities. It can enable all those who use the spaces designed to feel safer and to have access to good walking and cycling routes and green spaces. It should account for the experiences of those with physical or mental disabilities. Appealing to all the senses, for example with landscaping that uses aromatic plants makes a place more appealing and enjoyable for all. Places to sit are necessary for many. Opportunities for play should also be factored in to make environments child-friendly spaces. This does not necessarily mean formal and distinct areas of play equipment, but may mean safe streets and landscaping and street furniture.

Furthermore, it is clear that good design will be important to enable us to adapt to climate change, as well as reducing our contribution to it. Sufficient green space and green features woven into the urban fabric are vital for many reasons. Outdoor space that is attractive for social interactions and recreation, as well as to absorb run-off and provide shade, is vital and must be designed-in. Sufficient public and private indoor and outdoor amenity space helps people's mental health and was clearly important during the pandemic. Enabling safe active travel through good design is also important.

Conclusion

A better understanding and appreciation of the archaeology of Oxford helps us to understand its heritage. Archaeological remains can't be renewed so it is essential they are managed carefully

and treated with respect. It is important that Oxford's archaeological legacy is protected and where the loss of archaeological assets can be justified opportunities to investigate and record archaeological remains are fully realised when development takes place.

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Sustainability / Plan Issues

- Potential impacts on areas of archaeological and historical value of new development proposed in the plan should be considered.
- Development pressures continue to put a strain on natural and historic sites and landscape/townscape features of Oxford. These need to be properly understood to inform decisions.
- A good understanding of heritage value will be required to ensure continued development pressure does not adversely affect heritage assets, important townscape features and local character.
- Local design guidance informed by local communities should reflect special characteristics and needs of different parts of the city.
- Design should ensure that green spaces and features are woven into the urban fabric.
- Design should enable adaptation to the challenges of climate change, as well as helping reduce our impacts on it – a particular challenge when considered alongside heritage.
- Good design should focus on people within the spaces, how they move, interact and socialise; and should engender feelings of safety and security.

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