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Heritage

Oxford Local Plan 2040

**BACKGROUND
PAPER 13**

This paper addresses the historic environment of Oxford including designated heritage assets and how the Local Plan addresses its protection and enhancement.

SA Objective(s): 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(s): *Material assets, cultural heritage, landscape and archaeology.*

1. Introduction

1.1 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 the wide range of things that contribute to the importance of heritage assets, which includes the significance placed on them by local people.

1.2 The Council has a duty to protect and enhance historic environment through the Local Plan, this is important for delivering sustainable future for city. The historic environment is important for supporting wellbeing and economic growth too, particularly in Oxford, where it acts as a significant draw for tourists globally every year and helps to contribute to the special character of the city. Protections for the historic environment are not about ensuring no development happens to them full stop, instead the focus is on managing change so it happens in right way so we preserve historic environment for benefit of future generations.

1.3 This background paper firstly sets out the policy context in which the Local Plan is being prepared. The paper then goes on to set out the existing situation in relation to heritage in the city as well as the likely future without a new Local Plan. The final sections set out some discussion around how the Council has formulated its heritage related policies in the local plan.

2. Policy context

2.1 There are a range of national and local plans, policies and strategies which form important context for the policies of the new Local Plan. Those of most relevance to the heritage policies are summarised below:

National Planning Policy Framework (NPPF) (revised 2023)

2.2 Paragraphs 189 to 208 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.

2.3 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.

2.4 '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 199 to 202). 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 194). 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 Planning Practice Guidance (PPG) including National Design Guide/National Model Design Code

2.5 The online Planning Practice Guidance includes a dedicated page for the historic environment. This provides information on the identification and protection of historic buildings, conservation areas and other elements of the historic, environment. Paragraph 6 to 10, provide information on determining the significance of different types of heritage assets, including advice on the levels of harm and how this can be mitigated.

2.6 The National Design Guide is a material consideration and forms part of national planning guidance. One of the ten characteristics of good design is the provision of an attractive and distinctive sense of identity. The guide encourages well-designed places which are influenced by and influence the context positively; and responsive to local history, culture and heritage.

Listed Building Act

2.7 The Planning (Listed Buildings and Conservation Areas) Act 1990 provided listed buildings and conservation areas with additional protections relating to the granting of planning permission. It created special controls for the demolition, alteration or extension of buildings, objects or structures of potential architectural or historic interest.

Other relevant plans and programmes/strategies

Conservation Area Appraisals

2.8 Appraisals have been written for a number of our conservation areas¹, some of which are currently being updated. These documents detail the locations and characteristics which contribute to each area's architectural or historic importance, as well as opportunities for enhancement.

¹ Available here: https://www.oxford.gov.uk/info/20195/conservation_areas/871/conservation_area

Assessment of the Oxford View Cones (Oxford City Council)

2.9 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.

2.10 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 the Oxford 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 parts of the view cones, i.e. not just the skyline. It is designed to aid understanding of the impact of proposals on views.

2.11 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)

2.12 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.

3. Current situation

3.1 Oxford's historic environment makes a significant contribution to the character and culture of the city. Due to its long history of settlement and the length of time over which the city has developed it is the setting for buildings spanning every major period of British architectural history from the 11th century onwards.

3.2 The city's heritage is tied as much to the natural environment in which it has developed as it is its buildings. 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 historic urban core of the city which make an important contribution to its special character and landscape setting. Oxford City has a distinct physical form and intrinsic to the city'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. The iconic skyline and architecture produced by the limestone colleges and towering spires create a world-famous urban environment.

3.3 Oxford's character is also defined by its unique built environment. 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.

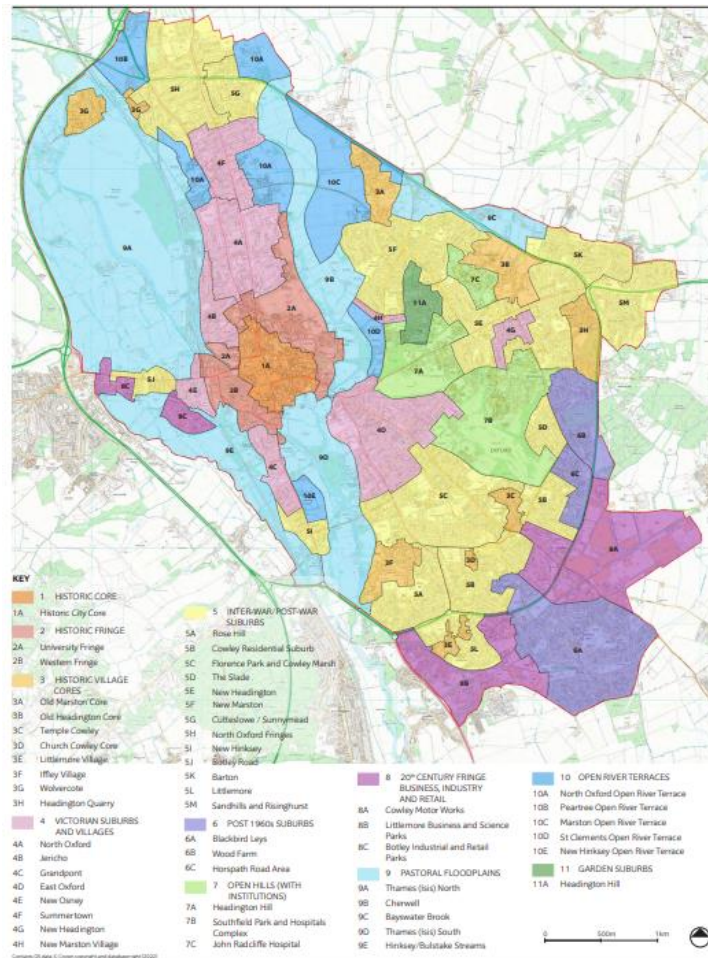


Figure 1. Landscape character areas of Oxford as identified in the Character Assessment of Oxford in its landscape setting and updated using research for the Heritage Assets Register Project

3.4 Oxford's extensive history of settlement and cultural significance has contributed to a wide array of statutory designations across the city which are of national importance for ongoing protection for the benefit of future generations. The city hosts 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 average². Statutory listing protects both the inside and outside of a building, as well as fixtures and fittings (like windows, doors or staircases) and subsidiary buildings that form the 'curtilage' of the building. Alterations can only be made to a listed

² Anyone can search the records of Listed Buildings via the mapping on Historic England's website here: <https://historicengland.org.uk/listing/the-list/map-search>

building if the Local Planning Authority (LPA) grants Listed Building Consent for any changes that might affect the special architectural or historic interest of the building.

3.5 Beyond specific buildings, there are 18 Conservation Areas designated across the city at present³. Conservation area designation is afforded to areas to identify that they have special architectural or historic interest that makes them worth protecting and improving. They include a diverse range of qualities from the compact college environment found in the city centre, the open green space found in the Headington Hill Conservation Area, to the vast meadows in Wolvercote and Godstow. Architectural styles and landscape qualities are diverse, but they all have the common element of containing features that contribute to our historic past. Oxford's Conservation Areas are as follows:

- Bartlemas
- Beauchamp Lane
- Binsey
- Central (University and City)
- Headington Hill
- Headington Quarry
- Iffley
- Jericho
- Littlemore
- North Oxford Victorian Suburb
- Old Headington
- Old Marston
- Osney Town
- Oxford Stadium, Sandy Lane
- St Clement's and Iffley Road
- Temple Cowley
- Walton Manor
- Wolvercote with Godstow

3.6 Listed Building and Conservation Area designations restrict certain permitted development rights that applicants have to make changes to their properties. In some places, additional restrictions or compliance conditions on what Permitted Development rights applicants have are in place. In two conservation areas specifically—Jericho and Osney Town—the Council has removed some PD rights through the making of an Article 4 direction. These restrictions remove PD rights for changes to roof materials, alteration and replacement of windows, and the rendering or plastering of external brick and stone walls (potentially impacting the installation of external insulation).

3.7 Oxford also contains 10 scheduled monuments and 15 Historic Parks and Gardens which form an important component of the wider green infrastructure network.

³ More information on the city's conservation areas can be found on the website here: https://www.oxford.gov.uk/info/20195/conservation_areas/871/conservation_areas

3.8 Aside from national designations summarised above, there are a number of locally designated assets which have been identified on the Oxford Heritage Asset Register⁴. This is a register of buildings, structures, features or places that make a special contribution to the character of Oxford and its neighbourhoods through their locally significant historic, architectural, archaeological or artistic interest. Locally listing does not establish the same level of protection as national listing in of itself.

3.9 Beyond these formally registered local assets, the city then also hosts a large number of traditional buildings (e.g. those built prior to modern methods of construction that arose in the 20th century) which also contribute to the wider character of Oxford. These other buildings may still benefit from special qualities or features that are characteristic of older construction/architectural styles which warrant protection where possible, and may also require more careful approaches to redevelopment that reflect the unique ways these buildings function (e.g. passive ventilation) compared with modern buildings built today.

3.10 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.

3.11 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).

3.12 There are other pressures and which can threaten or drive the need for changes to our historic environment which need to be carefully managed. Climate change for example is introducing direct threats to historic buildings such as through flood risk and hot weather events which may require adaptations to preserve them. The need for decarbonising our built environment is introducing a push for energy efficiency retrofitting to reduce emissions associated with these buildings. The development process in general all around the city can introduce threats by impeding on setting of assets, whilst also bringing about opportunities to enhance setting or rectify harmful changes that have happened in past.

⁴ More information as well as the register itself can be found on the Council website here: https://www.oxford.gov.uk/info/20196/oxford_heritage_asset_register

4. Feedback from previous consultations

4.1 Feedback from the 2021 Issues consultation was varied reflecting the broad scope of that initial consultation process:

Issues Stage (2021)

4.2 The Council published its initial issues consultation for the new Local Plan in the summer of 2021 and as part of the consultation we included a topic paper which addressed Urban Design, Placemaking, Heritage and Archaeology paper. The paper set out the relevant national, regional and local policy context for this topic, then went on to set out the key issues of relevance to the city, before highlighting some potential approaches that could be pursued in developing new policies.

4.3 Comments referred generally to a need for Oxford's heritage and cultural elements to be maintained. Additional comments included:

- Need to reduce energy demand and conserve heritage assets, which is not an easy balance;
- Urban design and heritage is only covered briefly. What is needed is a Supplementary Planning Document on greening heritage buildings (as Cambridge Council have produced). There is a lot of expertise and many emerging case studies amongst the Oxford colleges;
- Preserving and enhancing the historic centre should be a major policy of any future plan;
- When it comes to supporting a wide range of jobs, as well as the research and knowledge sectors, this should include the heritage sector. Support from the council should increase for the heritage sector and ensure that a wider public outreach on these sites are represented; and
- Oxford must maintain its heritage and cultural elements.

4.4 **Historic England** flagged a number of detailed and helpful comments regarding how heritage should be considered in the local plan and the SA:

- In the SA: "edge" should be replaced with "setting". Setting is related to significance, whereas edge is not. However, we do not agree with this approach as it is too formulaic. A judgment from a heritage professional would be needed to determine if a site in the setting of a CA or RPG would result in a single or double minus. For example, a large site in the setting of a conservation area could easily result in a high level of harm to the CA or RPG, particularly for highly grade RPG.
- As with the approach to CA & RPG, a site in the setting of a listed building could easily result in high levels of harm, especially if the asset is highly graded. A judgment from a heritage specialist should be used to arrive at a score.
- When mapping heritage assets, it is important to recognise that simply identifying assets on a map will not fully show the potential impact of development on the historic environment. This is for two main reasons: while databases show areas of archaeological potential, it is never possible to know the full extent of archaeology. Therefore, while we can anticipate where we are more likely to encounter archaeological artefacts, there is always the possibility of new finds in unexpected

areas. The level of archaeological assessment or investigation will therefore need to be determined on a case-by-case basis.

- We welcome specific provision for the protection and enhancement of archaeology as well as emphasis that sites of archaeological importance can occur everywhere. We encourage clear guidance on expectations for archaeological recording and the submission of records with an appropriate public record (e.g. Historic Environment Records) for archaeological remains that are not to be retained in situ.
- Significance is what makes an asset worthy of protection. Significance is a collective term for the sum of all the heritage values that can be ascribed to a place. A full appreciation of the significance of a heritage asset is likely to require the skills of an expert. Therefore, simply plotting an asset on a map is unlikely to be sufficient.
- There is a danger to both heritage assets and potential developers of allocating sites without sufficient guidance on the issues that need to be addressed at the planning application stage. The greater the level of detail in how a site should be developed, the easier it is to assess the impact on the historic environment. Supporting information should be sufficient to make an appropriate level of assessment, through the plan-making process. We therefore encourage the use of detailed site requirements as part of the allocation policy and where appropriate, development briefs and masterplans. The significance of heritage assets, and the potential impact of allocations on that significance, will need to be fully understood and justified as early as reasonably practicable in the plan-making process. The cumulative impact of a number of site allocations in one location could also cause considerable harm to the historic landscape/townscape.

4.5 Feedback from the 2022 Preferred Options consultation again covered a range of topics, the main comments are summarised below:

Historic England

- Going above the standard method in terms of housing delivery may have potentially harmful impacts on the environment and Oxford's heritage. But acknowledge constraints and importance of working with neighbouring authorities to help meet Oxford's housing need. Keen to see historic interest given due consideration in seeking to meet housing capacity target;
- An overview is required of the different types of designated heritage asset within the city;
- More detail on the proposed approach to a holistic management plan for the city's archaeological remains, especially those within college owned sites;
- Heritage at risk – and subsequently a new section in the Local Plan that sets out the approach to this; and
- More consideration is needed of the contribution made by heritage to the local economy.

Oxford University

- Supportive of retrofitting existing buildings, but note the need for a careful balance between heritage and retrofitting.

Additional comments received included:

- Encourage explicit mention and consideration of the heritage sector and that LP should be proactive in identifying/exploring how it might help heritage sector recover;
- It's appropriate to have a clear policy addressing retrofitting/heritage assets;
- More focus required on conservation areas as heritage not just the buildings within them;
- More reference to design and heritage of Littlemore should be included;
- Concerns surrounding heritage policies effect on the delivery of affordable housing;
- Some comments suggest more flexibility on height is required, whilst seeking to protect Oxford's key views; and
- Some consider there to be a lack of justification for going above and beyond the NPPF approach.

5. Likely trends without a new local plan

5.1 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.

5.2 As outlined above, beyond 2036, the planning policies for Oxford would revert to national level policy, as per the National Planning Policy Framework. Other forms of protection for certain types of assets will continue, for example protections to Listed Buildings as part of the Listed Buildings Act.

5.3 For Oxford, however, the 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 its 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.

5.4 As touched upon in section 3, there are also a range of local buildings which do not benefit from any type of protection in the same way as national designations. Without local policies, it is likely that other drivers of change could result in the piecemeal erosion of these wider features which also make an important contribution to the setting of the city.

6. Approach to historic environment in Local Plan 2040

6.1 The following sections set out the approach taken to formulating the heritage related policies included within Chapter 6 of the Local Plan 2040.

Overall approach to different types of historic assets

6.2 Subsequent to the Preferred Options consultation, which proposed setting out an overarching policy that would include the protections and required mitigation for impacts to all the designated heritage assets in the city, the policy team has taken on board feedback from Historic England and instead included separate policies for each type of designated asset (policies HD1 to HD4). Whilst the national policy approach has been the predominant influence on the wording of these policies, the separation of each type of designation allows for the nuances and local context relevant to applications impacting each to be more clearly conveyed. Where possible, the Council has sought to flag up particular local issues that relate to each type of designation either within the policy or supporting guidance.

6.3 There is a significant archaeological presence across the city as was flagged earlier in the paper, and where possible it is important that this is preserved from loss through inappropriate development. At times, information is limited to there being knowledge of potential for archaeology only, thus the policy seeks to ensure that where necessary applicants undertake the appropriate investigation to identify any potentially valuable finds and undertake suitable mitigation to prevent their loss. In particular, the policy flags the City Centre Archaeological area as an area with known high concentrations of archaeology.

6.4 There are a number of locally significant heritage assets which the Local Plan also sets out protections for through policy HD6. These non-designated heritage assets may or may not be identified in the Oxford Heritage Asset Register but still have a local relevance that, whilst not being of merit for national-level designation, is still important for supporting the wider character of the city. The policy protection afforded to these assets is not as strong as national designated assets but sets out requirements for mitigating impacts and avoiding their loss in line with the level of significance that they are deemed to warrant.

Factoring heritage into good design

6.5 National guidance on good design is clear that heritage considerations are an important contextual factor which should inform good design, and as such the Council is keen to ensure that these are factored into the design process for development in Oxford. The Local Plan includes an overarching design policy (policy HD7) which sets out principles of good design for Oxford including requiring applicants to utilise the design guidance held within the appendix to ensure a comprehensive approach to design of new development. This design guidance includes a checklist of different considerations which incorporate heritage and require applicants to address this appropriately within their design rationale where relevant.

6.6 The approach to the site allocations policies has been led by one of trying to provide greater guidance in terms of urban design principles to help convey to applicants the Council's expectations in relation to what should be delivered. Officers have undertaken urban design assessments of the sites to help inform the writing of these policies and heritage was one of the key contextual considerations which has helped to shape the guidance set out in the sites policies. Where heritage sensitivities have been identified, e.g.

potential for impacting upon setting of conservation areas or listed buildings, these are flagged to applicants within the relevant allocations policies to ensure these are appropriately responded to in any development proposals.

Buildings fit for the future

6.7 During the preparation of the new Local Plan, officers were acutely aware of the various drivers of change that are impacting upon the built environment of the city, including historic buildings. Some of the key drivers were touched upon earlier in this paper, including the pressing need for adapting buildings to changing climate and to reduce their carbon footprint.

6.8 The policies of the Local Plan are intended to manage change in the right way and as such the overarching protections already discussed will help to preserve the special features of these buildings for the future. However, in recognition of the pressing need for retrofitting all buildings in the city to support the shift to net zero, the Local Plan also includes separate policy supporting retrofitting which will be of relevance to historic buildings. Indeed, this was a topic which our subsequent discussions with Historic England also flagged as requiring additional support through the Local Plan. Further discussion on how this policy has been prepared is contained within the net zero carbon background paper and should be referred to for more context.

7. Conclusions

7.1 The analysis and discussion as set out above has led to the inclusion of the following heritage related policies in the new Local Plan which are as follows:

Policy HD1 Conservation Areas

Planning permission will be granted for development that respects and draws inspiration from Oxford's conservation areas, responding positively to their significance, character and distinctiveness.

For all planning decisions for planning permission or listed building consent affecting the significance of a conservation area or its setting, great weight will be given to the conservation of that conservation area and to the setting of the conservation area where it contributes to that significance or appreciation of that significance.

An application for planning permission or listed building consent for development which would or may affect the significance of a conservation area, either directly or by being within its setting, should be accompanied by a heritage assessment. This must be based on an understanding of the context and that includes a description of the conservation area and its significance and an assessment of the impact of the development proposed on the conservation area's significance.

Certain features may be characteristic of a particular conservation area, as outlined in the supporting text, and planning applications should set out how these have been responded to sensitively to avoid harm.

A heritage assessment must include information sufficient to demonstrate:

- a. an understanding of the significance of the conservation area, 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 conservation area 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 conservation area, including its setting, the levels of harm has been properly and accurately assessed and understood, that it is justified because alternative possibilities or design arrangements have been explored and that measures are incorporated into the proposal, where appropriate, that mitigate, reduce or compensate for the harm.

Where the setting of a conservation area is affected by a proposed development, the heritage assessment should include a description of the extent to which the setting contributes to the significance of the conservation area, as well as an assessment that the impact of the proposed development would have on the setting and the setting's contribution to the significance of the asset.

Where a development proposal would cause less than substantial harm to a conservation area, this harm must be weighed against the public benefits of the proposal. Clear and convincing justification for this harm should be set out in full in the heritage assessment. Substantial harm to or loss of significance of a conservation area should be wholly exceptional. Where a proposed development will lead to substantial harm to or loss of the significance of a conservation area, planning permission or listed building consent will only be granted if all of the criteria in paragraph 201 (or equivalent in any update) of the NPPF (National Planning Policy Framework) can be demonstrated, or unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, which should be set out in the heritage assessment.

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

Policy HD2 Listed Buildings

Planning permission or listed building consent will be granted for development that respects and draws inspiration from Oxford's listed buildings, responding positively to their significance, character and distinctiveness. For all planning decisions for planning permission or listed building consent affecting the significance of a listed building or its setting, great weight will be given to the conservation of that listed building and to the setting of the listed building where it contributes to that significance or appreciation of that significance.

An application for planning permission or listed building consent for development which would or may affect the significance of a listed building, either directly or by being within its setting, should be accompanied by a heritage assessment that includes

- a. a description of the listed building and information sufficient to demonstrate an understanding of the significance of the listed building including
 - i. its rarity, group value and how it reveals its historic, architectural, archaeological and/or artistic interest and/or value for its associations to things that shape the identity and character of the area, the way it illustrates the past and helps our understanding of it, its aesthetic contribution to the area, and its importance to the community; and
 - ii. 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.
- b. an assessment of the impact of the development proposed on significance of the listed building and its setting, including on the integrity of the building, the impact on group value and Oxford's/the local area's identity should be explained, including:
 - i. that the development of the proposal and its design process have been informed by an understanding of the significance of the listed 142 building and that harm to its significance has been avoided; or
 - ii. in cases where development would result in harm to the significance of a listed building, including its setting, the extent of harm must be properly and accurately assessed and understood, and clearly and convincingly justified.

Where a development proposal will lead to less than substantial harm to a listed building, clear and convincing justification must be provided within the heritage assessment. This should explain what

alternative proposals have been considered and how measures have been incorporated into the proposal, where appropriate, that mitigate, reduce or compensate for the harm. Only then will the harm be weighed against the public benefits of the proposal.

Substantial harm to or loss of Grade II listed buildings should be exceptional. Substantial harm to or loss of Grade I and II* listed buildings should be wholly exceptional. Where a proposed development will lead to substantial harm to or loss of the significance of a listed building, planning permission or listed building consent will only be granted if all of the criteria in paragraph 201 (or equivalent in any update) of the NPPF can be demonstrated, or unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, which should be set out in the heritage assessment.

The use of a listed building may be part of its significance. Changes of use should:

- a. be to a use which would not be harmful to the special interest of the building or its setting; and
- b. be suitable without harmful extensive reconstruction

Where the setting of a listed building is affected by a proposed development, the heritage assessment should include a description of the extent to which the setting contributes to the significance of the listed building, as well as an assessment of the impact of the proposed development on the setting and its contribution to significance.

Policy HD3 Registered Parks and Gardens

Where a development proposal will lead to less than substantial harm to a registered park and garden, clear and convincing justification must be provided within a heritage assessment. Substantial harm to or loss of Grade II registered parks and gardens should be exceptional. Substantial harm to or loss of Grade I and II* registered parks and gardens should be wholly exceptional. Where a proposed development will lead to substantial harm to or loss of the significance of a park or garden, planning permission (or other planning consents where relevant) will only be granted if all of the criteria in paragraph 201 (or equivalent in any update) of the NPPF can be demonstrated, or unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, which should be set out in the heritage assessment.

Any proposals that would result in harm to, or loss of, the significance of a Registered Park and Garden requires clear and convincing justification in a Heritage Assessment. Substantial harm to or loss of grade II Registered Parks and Gardens should be exceptional, and of grade I and II* registered should be wholly exceptional.

Planning permission will not be granted for development that would lead to substantial harm to or total loss of significance of a Registered Park and Garden unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or the criteria in paragraph 201 (or equivalent in any update) of the NPPF can be demonstrated. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

Policy HD4 Scheduled Monuments

An application for planning permission for development which would or may affect the significance of a Scheduled Monument, either directly or by being within its setting, should be accompanied by a heritage assessment that includes a description of the Scheduled Monument and its significance and an assessment of the impact of the development proposed on the listed building's significance.

The submitted heritage assessment must include information sufficient to demonstrate:

- a. an understanding of the significance of the Scheduled Monument, 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 Scheduled Monument and that harm to its significance has been avoided or minimised; and
- c. that, in cases where development would result in harm to the significance of a Scheduled Monument, including its setting, the extent of harm has been properly and accurately assessed and understood, that it is justified, and that measures are incorporated into the proposal, where appropriate, that mitigate, reduce, or compensate for the harm.

Where the setting of a Scheduled Monument is affected by a proposed development, the heritage assessment should include a description of the extent to which the setting contributes to the significance of the listed building, as well as an assessment of the impact of the proposed development on the setting and its contribution to significance. Where a development proposal would cause less than substantial harm to a scheduled monument, this harm must be weighed against the public benefits of the proposal. Clear and convincing justification for this harm should be set out in full in the heritage assessment. Substantial harm to or loss of significance of a scheduled monument should be wholly exceptional.

Where a proposed development will lead to substantial harm to or loss of the significance of a scheduled monument, planning permission or listed building consent will only be granted if all of the criteria in paragraph 201 (or equivalent in any update) of the NPPF can be demonstrated, or unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, which should be set out in the heritage assessment.

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 Assessment. A Heritage Assessment should include and be informed by:

- a. a description of the impacted archaeological deposit or feature (including where relevant its setting), information to define the character, significance and extent of such deposits or features; and
- b. an explanation of how early assessment and field evaluation has informed design that aims to preserve deposits and features in situ avoiding adverse effects from poor siting of foundations, drainage features and hard landscaping; and
- c. 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. The assessment should reference appropriate records (including the information held on the Oxford Historic Environment Record,); and
- d. if appropriate, a full archaeological desk-based assessment and the results of evaluation by fieldwork. This should be produced 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. The desk-based assessment in the City Centre Archaeological area 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 archaeology, other 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 as heritage assets will be considered against the relevant policy approach (HD2 Listed Buildings, HD4 Scheduled Monuments).

Subject to the above, proposals that will lead to harm to the significance of nondesignated 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 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 where possible to preserve archaeological remains in situ, to promote public enjoyment of heritage and to record and advance knowledge. Appropriate provision should be made for investigation, recording, analysis, publication, archive deposition and community involvement.

Policy HD6 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 is found to have local interest, value, and significance. These assets may be identified 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 and 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 as balanced against the public benefits that may result from the development proposals.

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.

Policy HD9 Views and Building Heights

Planning permission will not be granted for development that will not retain the special significance of views of the historic skyline, both from within Oxford and from outside.

Planning permission will be granted for developments of appropriate height or massing. Any proposal for height that is above the prevailing heights of the area and that could impact on character should be fully explained by the following criteria, all of which should be met:

- a. design choices regarding height and massing have a clear design rationale; and
- b. regard should be had to the guidance on design of higher buildings set out in the High Buildings Study TAN. 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. it should be demonstrated how 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);
- 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 18.2 m (60 ft) in height or ordnance datum (height above sea level) 79.3 m (260 ft) (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:

- a. 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
- b. 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
- c. if harm is caused to a heritage asset or its setting, a full explanation of other options that have been considered that may be less harmful, 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:

- a. they are based on a clear understanding of characteristic positive aspects of roofscape in the area; and
- b. 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.