

**Revised text of Chapter 8 of Draft Local Plan
for
City Executive Board - Tuesday 16 October 2018**

8. Draft Local Plan (Pages 3 - 14)

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Chapter 8:

Providing communities with facilities and services and ensuring Oxford is a vibrant and enjoyable city to live in and visit



The opportunity to participate in cultural activities is important, whether it be through leisure, recreation, community events or learning, as it is fundamental to how people experience and perceive the places the communities they live in, work in and visit. Availability of a variety of facilities and shops attracts people to district centres and the city centre and helps to keep them vibrant.

Part 1: Ensuring Oxford is a vibrant and enjoyable city to live in and visit

8.1 Ensuring the vitality of centres

Oxford as a sub-regional centre provides a wide range of services and facilities to both the city's residents and those living in the sub-regional catchment area. Thus it is important that the vibrancy and vitality of Oxford's centres are maintained and enhanced through the plan period. The city centre, district and local centres offer the opportunity to access a wide range of 'town centre uses' including retail, leisure, entertainment, office, arts, culture and tourism. These functions are vital to the long-term sustainability of the city and make Oxford an attractive place to live, work and invest.

Oxford has both a strongly performing city centre and a network of district centres offering a wide range of services and facilities and also a series of local centres which provide for much of their neighbourhoods' day-to-day needs. The vision for this Plan is to build on these strengths and focus growth in these centres (see Chapter 1).

Oxford's hierarchy of centres will be used to direct 'town centre uses' to the most appropriate location with regard to their scale, function and character. Oxford's centres will be the first option for locating growth and development. Priority will be given to those centres higher on the hierarchy. As set out in the NPPF a sequential test will also be applied to proposals for town centre uses, with sites within centres prioritised over edge of centre locations and edge of centre locations preferred over out of centre locations. In considering planning applications for 'town centre uses', the City Council will require details of the application of this sequential test and also require an impact assessment (for applications over the identified threshold).

Policy V1 sets a local threshold for impact assessments to be provided in respect of proposals comprising over 350m² gross of retail and leisure floorspace which are to be located outside centres or allocated sites.

Policy V1: Ensuring the vitality of centres

Planning permission will be granted for the development of town centre uses (retail, leisure, entertainment, office, arts, culture and tourism) within the defined city, district and local centre boundaries, provided the use is appropriate to the scale and function of each centre and reflects its distinctive character.

Oxford's city, district and local centres are shown on the Policies Map.

Proposals for development of town centres uses outside a centre must demonstrate compliance with the 'sequential test' (that is: development should be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered).

Planning applications for retail and leisure development outside centres which are 350m² (gross) or more, must be accompanied by an 'impact assessment' and as part of such an assessment, demonstrate with evidence that there will be no adverse impact on the vitality and viability of the existing centres, and that good accessibility is available for walking, cycling and public transport.

8.2 Shopping Frontages in the city centre

Oxford is a world-class city with a prosperous economy and a historic core that attracts tourists from around the world. The city centre fulfils many functions both regional and local and will continue to be the main focus for retail together with a wide range of leisure and cultural uses. The city centre contains much of the academic core of the University of Oxford and is a centre of employment. There are key areas of significant change within the city centre where future development and regeneration will be concentrated. However, this will require new infrastructure and innovative approaches to ensure people can move around the city by walking, cycling and public transport within an improved public realm.

Retail patterns and behaviours have been changing in recent years with a growth in online shopping making the future of high streets uncertain. However current evidence and market predictions indicate that there will still be an important role of destination shopping where shopping becomes part of a broader day out linked with eating out and other leisure activities. The development of the Westgate Shopping Centre, reopened 2017, with its numerous eating and drinking outlets, cinema and other leisure activities mixed in with the retail units is a good example of this trend.

The vision for the city centre is for it to continue to be the primary location for retailing as well as other town centre uses. The Westgate Centre provides for much of the forecast retail need for the Plan period, and will have an effect on shopping patterns and the operation of the other shopping streets of the city centre. Whilst some of the retail focus will shift towards the new stores provided at the Westgate, this in turn will offer other shopping streets of the city centre the opportunity to refocus, provide for smaller chains and independent retailers, and offer additional town centre uses.

Policy V2: Shopping Frontages in the city centre

Planning permission will only be granted at ground floor level within the city centre for the following uses:

- a) Class A1 (retail) uses; or
- b) Class A2 – A5 (financial and professional services, restaurant, pub and take-away) uses where the proposed development would not result in the proportion of units at ground floor level in Class A1 use falling below 60% of the total number of units within the defined Primary Shopping Frontage or 40% of units in the rest of the Shopping Frontage; or
- c) Other town centre uses where the proposed development would not result in the proportion of units at ground floor level in A1 use falling below 60% of the total number of units in the Primary Shopping Frontage or below 40% of the total number of units in the rest of the Shopping Frontage and where the proportion of units at ground floor level does not fall below 85% in the Primary Shopping Frontage or the rest of the Shopping Frontage, and in all cases where proposals for these other town centre uses:
 - i) promote the diversity of and range of uses available to shoppers and visitors to the centre, enhancing their experience; and
 - ii) promote an active street frontage both in terms of increasing footfall and retaining an active window display.

In exceptional circumstances, planning permission will be granted for changes of use from A1 or other A class uses to other town centre uses that would lead to a breach of the percentage thresholds, if it is demonstrated that changes in the retail circumstances of Oxford city centre mean that there is no longer demand for the existing levels of A1 or other A class units, and if sufficiently robust evidence is provided to clearly demonstrate that the uses proposed would not adversely

impact the function, vitality and viability of the particular street frontage itself or the shopping frontage as a whole. The following criteria must all be satisfied:

- d) marketing of the property for its existing use for at least a year, at a realistic price, and evidence of lack of interest clearly shown to demonstrate a lack of viability; and
- e) evidence of changing retail needs in Oxford city centre; and
- f) it would not result in such a concentration of a particular Class A use, other than Class A1 (retail), that it would lead to a significant interruption of the shopping frontage, reducing its character, attractiveness and function (considered to be if there are more than 4 adjoining units within the same use class (other than A1)); and
- g) it promotes the diversity of and range of uses available to shoppers and visitors to the centre, enhancing their experience; and
- h) it would make better and more efficient use of the upper floors where relevant, introducing new uses, such as residential and or office space for start-ups and incubator / innovation uses; and
- i) it promotes an active street frontage both in terms of increasing footfall and retaining an active window display.

Planning permission will not be granted within the Westgate Shopping Centre where it would result in a change to the established and approved mix of uses¹, which are as follows:

- j) Class A1 (retail) uses: no less than 60%
- k) Class A2 – A5 (financial and professional services, restaurant, pub and take-away) uses: no less than 20%
- l) Class D2 (assembly and leisure) uses: the existing library floorspace should be maintained

The Shopping Frontages are defined on the Policies Map.

8.3 The Covered Market

The City Council recognises the importance of the Covered Market in adding to the range of shopping provision in the heart of Oxford, as well as for its unique heritage. It is a Grade II Listed Building dating from the 1770s and extensively re-built and enlarged in the 19th century. It provides accommodation for a range of traditional Class A1 uses such as florists, butchers, bakers, jewellers and clothing, many of which are family-owned business and which contribute to its distinctive character. In addition, there is a range of caterers, many with eat-in food, which occupy about 25% of the units. The City Council wish to maintain, enhance and promote the character and offer of the covered market.

The City Council's leasing strategy was updated in 2015. This is part of a toolkit to be used by the Market's Manager to deliver the vision and objectives for the Covered Market, which is that it continues to host high quality independent retailers and innovative caterers and is a must-visit experience.

Policy V3: The Covered Market

Planning permission will only be granted within the Covered Market for the following uses:

- a) Class A1 (retail) uses; or
- b) Class A3, A4 and A5 (restaurant, pub and take-away) uses where the proposed development

¹ The mix of uses is established in the outline planning permission 13/02557/OUT

would not result in the proportion of units at ground floor level in Class A1 use falling below 50% of the total number of units within the market; or

- c) Other town centre uses where the proportion of A1 does not fall below 50% of the total number of units within the Covered Market and where the total proportion of Class A1, 3, 4 and 5 uses does not fall below 80% of the total number of units within the market.

All proposals for uses other than A1, A3, A4 or A5 should provide evidence to demonstrate that the proposed uses would not adversely impact the character, function, vitality and viability of the market by satisfying the following criteria:

- i) it promotes the diversity of and range of uses available to shoppers and visitors to the market, enhancing their experience;
- ii) it promotes an active frontage in terms retaining an active window display;

Planning permission will only be granted for alterations to or extensions of the Covered Market when it can be demonstrated that their design is informed by an understanding of the unique qualities and heritage interest of the Covered Market itself and its setting.

8.4 District and Local Centre Shopping Frontages

Oxford benefits from a network of district and local centres that provide a wide range of amenities for their local communities and in the case of district centres, on a much wider basis, beyond the city centre. There are significant benefits to be secured from providing facilities more locally for communities; this can help to reduce the need to travel and the need to access the city centre, easing the pressure on the main arterial roads into the city centre. In addition, by developing and expanding the offer at district centres, the critical mass for developing public transport and cycling links directly to (from outside the city or the Park and Ride sites) and directly between the district centres can be created. This would help make it possible to travel to and between district centres without having to go via the city centre, relieving pressure on the network.

As set out in the Vision, a key part of the strategy for the Local Plan is to develop this network of centres further, to provide more facilities and amenities in local communities to reduce the need to travel and to accommodate much of the projected need for town centre uses. Throughout this Plan a range of policies set out a distinctive role for the district centres establishing their importance to the overall strategy. Each of the District Centres provide a different mix of facilities and amenities and have very different characters, strengths and opportunities.

Policy V4: District and Local Centre Shopping Frontages

Planning permission will only be granted at ground floor level within District and Local Centre Shopping Frontages for the following uses:

District Centres:

Cowley Centre District Centre:

- a) Class A1 (retail) uses; or
- b) Class A2 – A5 (financial and professional services, restaurant, pub and take-away) uses where the proposed development would not result in the proportion of units at ground floor level in Class A1 use falling below 60% of the total number of units within the defined Shopping Frontage; or
- c) Other town centre uses where the proportion of A1 does not fall below 60% of the

total number of units within the defined Shopping Frontage and where the proportion of Class A uses does not fall below 85% of the total number of units defined within the Shopping Frontage.

East Oxford-Cowley Road, Headington, and Summertown District Centres:

- d) Class A1 (retail) uses; or
- e) Class A2 – A5 (financial and professional services, restaurant, pub and take-away) uses where the proposed development would not result in the proportion of units at ground floor level in Class A1 use falling below 50% of the total number of units within the defined Shopping Frontage; or
- f) Other town centre uses where the proportion of A1 does not fall below 50% of the total number of units within the defined Shopping Frontage and the proportion of Class A uses does not fall below 85% of the total number of units within the defined Shopping Frontage.

Blackbird Leys District Centre:

- g) Class A1 (retail) uses; or
- h) Class A2 – A5 (financial and professional services, restaurant, pub and take-away) uses where the proposed development would not result in the proportion of units at ground floor level in Class A1 use falling below 40% of the total number of units within the defined Shopping frontage; or
- i) Other town centre uses where the proportion of A1 does not fall below 40% of the total number of units within the defined Shopping Frontage and the proportion of Class A uses does not fall below 85% of the total number of units within the defined Shopping Frontage.

Local Centres:

- j) Class A1 (retail) uses; or
- k) Class A2 – A5 (financial and professional services, restaurant, pub and take-away) uses where the proposed development would not result in the proportion of units at ground floor level in Class A1 use falling below 40% of the total number of units within the defined Shopping Frontage; or
- l) Other town centre uses where the proportion of A1 does not fall below 40% of the total number of units within the defined Shopping Frontage and the proportion of Class A uses does not fall below 85% of the total number of units within the defined Shopping Frontage.

In exceptional circumstances, planning permission will be granted for changes of use from A class uses to other town centre uses that would lead to a breach of the percentage thresholds, if it is demonstrated that changes in the retail circumstances of the district centres means that there is no longer demand for the existing levels of A1 or other A class units, and if sufficiently robust evidence is provided to clearly demonstrate that the uses proposed would not adversely impact the function, vitality and viability of the shopping frontage as a whole. The following criteria must all be satisfied:

- m) marketing of the property for its existing use for at least a year, at a realistic price, and evidence of lack of interest clearly shown to demonstrate a lack of viability; and
- n) evidence of changing retail needs in the district centre; and
- o) the proposal would not result in such a concentration of a particular Class A use, other than Class A1 (retail), that it would lead to a significant interruption of the shopping frontage, reducing its character, attractiveness and function (considered to be if there are more than 4 adjoining units within the same use class (other than A1)); and

- p) it promotes the diversity of and range of uses available to shoppers and visitors to the centre, enhancing their experience; and
- q) it would make better and more efficient use of the upper floors where relevant, introducing new uses, such as residential and or office space for start-ups and incubator / innovation uses; and
- r) it promotes an active street frontage both in terms of increasing footfall and retaining an active window display.

The Shopping Frontages in each District Centre and Local Centre are defined on the Policies Map.

8.5 Sustainable tourism

Tourism is an important element of Oxford's economy. The city is world famous and attracts an increasing number of visitors and overnight stays; it is a crucial destination of the national tourism industry. The city has many important established tourist attractions, such as the Ashmolean Museum and Modern Art Oxford. The City Council will support extension and enhancement and promote greater use of all existing attractions.

However, a very large number of tourists make very short visits, often only for part of, or one day. The economic benefits to the city of these short visits are slight, while the impact of these visits is significant. Many of these short-visit tourists arrive on coaches, which adds to the pressures on the highway network, adds to congestion and requires land for parking. These transport impacts are addressed in Section 7 on Transport.

Policies which facilitate longer stays will result in greater spend in Oxford's shops and restaurants which will in turn boost their viability and Oxford's economy. In addition to tourists the short-stay accommodation market is very strong for business travellers in Oxford and provision of more accommodation would additionally help support the economy objectives of this Plan. When Oxford's hotel occupancy and room rates are compared with those of comparable cities, there is significant unmet demand and potential for growth in all varieties of short-stay accommodation.

The amount and diversity of short-stay accommodation to support this aim will be achieved by permitting new sites in the city centre and on Oxford's main arterial roads, and by protecting and modernising existing sites to support this use.

A feature of the Oxford holiday and short term let market is the use of student accommodation in the university holidays. Use of student accommodation to cater for the conference and holiday let markets at times when it would otherwise be vacant is an efficient way to provide for these needs. Increasingly, short-term lets of domestic properties are being marketed as holiday lets and for those who work in Oxford during the week. The way that properties are being let means that no planning application to change use from a domestic property is currently required. Currently few regulations apply and business rates are rarely applicable, but the City Council will continue to monitor this situation.

Improvements to the quality of existing attractions will be encouraged, with new attractions that add to diversity in Oxford. It is important that any new attractions are located where they are easily accessible by public transport, in particular the city centre, and where such uses can contribute to regeneration.

Policy V5: Sustainable tourism

Planning permission will only be granted for development of holiday and other short stay accommodation in the following locations: in the City Centre, in District Centres, on sites allocated for that purpose, and on Oxford's main arterial roads where there is frequent and direct public transport to the city centre.²

Proposals for short stay accommodation must also meet all the following criteria:

- a) it is acceptable in terms of access, parking, highway safety, traffic generation, pedestrian and cycle movements
- b) there is no loss of residential dwelling; and
- c) it will not result in an unacceptable level of noise and disturbance to nearby residents.

Planning permission will only be granted for the change of use from holiday and other short-stay accommodation when any of the following criteria are met:

- d) no other occupier can be found following a realistic effort to market the premises as set out in Appendix 8.1, for continued use as holiday and other short stay accommodation (whether or not of the same form the existing use); or
- e) evidence of non-viability is submitted; or
- f) the accommodation is in a location unsuitable for the use as demonstrated by being contrary to the location requirements or any of the criteria a-c above.

Planning permission will be granted for new tourist attractions where proposals meet all of the following criteria:

- g) they are realistically and easily accessible by walking, cycling or public transport for the majority of people travelling to the site; and:
- h) they will not cause environmental or traffic impacts; and:
- i) they are well related to any existing or proposed tourist and leisure related areas; and
- j) they add to the cultural diversity of Oxford.

8.6 Cultural and social activities

Oxford has a rich infrastructure of cultural and social activities and venues, from theatres, museums, cinemas, galleries, sports and music venues to restaurants and pubs. These uses help to keep the centres vibrant and active and add greatly to the local quality of life. However, such uses can be vulnerable to redevelopment pressures from higher land value uses. The City Council wants to protect cultural and social venues and encourage such uses to develop, modernise and adapt for the benefit of the communities they serve.

The City Council will encourage new proposals for cultural and social uses in the city centre and district centres as appropriate town centre uses that can add vibrancy and activity. Existing facilities will be protected in accordance with the policy.

Policy V6: Cultural and social activities

Planning permission will be granted for proposals which add to the cultural and social scene of the

² Abingdon Road, Banbury Road, Botley Road, Cowley Road, Iffley Road, London Road, Marston Road, Oxford Road, Woodstock Road

city within the city and district centres provided the use is appropriate to the scale and function of the centre.

Proposals for cultural, entertainment, leisure and tourism (not accommodation) uses will only be permitted where the following criteria are met:

- a) they are realistically and easily accessible by walking, cycling or public transport for the majority of people expected to travel to and from the site; and
- b) they will not cause unacceptable environmental or traffic harm or adversely affect residential amenity; and
- c) there is no negative cumulative impact resulting from the proposed use in relation to the number, capacity and location of other similar uses (existing or committed) in the area; and
- d) they add to the cultural diversity of Oxford; and
- e) policies V1 and V2 are complied with.

Public houses

Planning applications for the change of use of a public house must be accompanied by evidence to demonstrate that the continuation of the use of the premises as a public house is not viable. It must be demonstrated that:

- a) all reasonable efforts have been made to market the premises for its existing use (refer to Appendix 8.1); and
- b) all reasonable efforts have been made to improve the operation and management of the business; and
- c) it is demonstrated that suitable alternative public houses exist to meet the needs of the local community.

Where a building is to be demolished or substantially re-developed; the impact on character, design and heritage and to the wider streetscape must be demonstrated to be insignificant.

Part 2: Providing communities with facilities and services

8.7 Infrastructure and cultural and community facilities

It is important that new development in Oxford is supported by the appropriate infrastructure and community facilities. Providing and improving access to educational, health and community facilities greatly improves the quality of life for residents, builds strong communities and also helps to address inequalities.

The City Council, working with other Oxfordshire Authorities under the Oxfordshire Growth Board has a good track record of securing external and central government funding to help deliver infrastructure including as part of the Housing and Growth Deal. Partners of the Growth Board will continue to seek to secure additional infrastructure funding where available to support the growth of the city and county.

Cultural and community facilities can be very wide ranging. In seeking social inclusion and a high quality of life, the City Council's approach is to make accessible a diverse range of facilities, from performance venues to libraries. Sometimes co-locating multiple facilities on a single site can be an efficient way to improve accessibility. Community facilities can include community centres, schools, children's centres, meeting venues for the public or voluntary organisations, public halls and places

of worship, leisure and indoor sports centres, pavilions, stadiums, public houses, club premises or arts buildings that serve a local community. Other types of buildings might also be classed as, and function as, community facilities. These are important in meeting social, leisure, cultural and religious needs of Oxford's diverse communities.

The City Council will seek to protect existing facilities and will support improvements and more intensive use of existing sites. Sometimes facilities might not be fit-for-purpose or provide poor accessibility where improvements on site or nearby might be more sustainable. Co-locating multiple facilities on a single site can be an efficient way to improve both quality and accessibility.

Where community facilities (including sports facilities and schools) are provided, the City Council will seek to secure community benefits through sharing schemes and joint user agreements.

The City Council has been working closely with partners including the County Council as the Local Education Authority and the NHS Oxfordshire Clinical Commissioning Group to plan for the future needs of the city and will continue to work in partnership to ensure that new development is provided with access to school places and medical facilities, and that existing access is improved. Over the lifetime of the plan it is very likely that there will be more changes in the ways that education and health services are delivered and provided. Close partnership working will be essential to ensure that communities continue to have the best possible access to facilities.

The majority of planning permissions will be liable for a Community Infrastructure Levy (CIL) payment towards the funding of infrastructure in Oxford. The City Council will continue to use legal agreements and conditions to secure other benefits (including affordable housing and community access to facilities through joint user agreements) in line with the policies of this Plan and consistent with the CIL regulations. The City Council will also continue to work with a range of partners and organisations to secure funding towards the cost of infrastructure through a range of mechanisms.

The City Council will keep the Infrastructure Delivery Plan regularly reviewed, and use this to prioritise the infrastructure necessary to support the growth of Oxford.

Policy V7: Infrastructure and cultural and community facilities

The City Council will work with service providers to improve access to social and community infrastructure and in particular from new development.

The City Council will seek to protect and retain existing cultural and community facilities. Planning permission will not be granted for development that results in the loss of such facilities unless new or improved facilities can be provided at a location equally or more accessible by walking, cycling and public transport. In principle, applications to extend capacity, improve access and make more intensive cultural/community use of existing sites will be supported.

Planning permission will be granted for new state schools, primary healthcare facilities and community centres where the City Council is satisfied that the following criteria are satisfied:

- i) the location is easily accessible by walking, cycling and public transport; and
- ii) the proposal will meet an existing deficiency in provision or access, or the proposal will support regeneration or new development; and
- iii) the proposal will not result in an unacceptable environmental impact.

8.8 Utilities

It is important that new development in Oxford is serviced by the appropriate utilities infrastructure. Developers will need to ensure that they have explored the connection and capacity practicalities with electricity, gas, water, sewerage and digital communications providers. This will be a conversation that needs to take place between the developer and utilities providers at various points through the development process, starting from earliest design and planning and on into the construction phase. The City Council will also seek reassurance from developers proposing major development that they have also explored these issues with providers at the planning application stage and that a satisfactory arrangement can be delivered.

The City Council will seek to ensure that all new development, and wherever possible all residents and businesses, have access to superfast speeds of internet connectivity. Oxford's strengths in the knowledge economy (see Chapter 2: Economy) provide a real opportunity for it to drive forward the research, testing and development of digital technologies. Partners in the academic, research, technology and public sectors have come together as Smart Oxford, a strategic programme to develop and promote Oxford as a smart city. The aim of Smart Oxford is to provide a test bed for world class researchers and innovators which will generate growth and jobs to advance economic and social prosperity, and help improve the quality, effectiveness and efficiency of city services³. The City Council recognises this as a rare opportunity to both support an emerging market sector and to secure benefits on the ground for the city's residents and businesses.

Policy V8: Utilities

Planning applications (except householder applications) must be supported by information demonstrating that the proposed developer has explored existing capacity (and opportunities for extending it) with the appropriate utilities providers. Planning permission will not be granted where there is insufficient evidence on utilities capacity to support the development and that the capacity will be delivered to meet the needs of the development.

Planning permission will only be granted for B1/B2 employment over 1000 square metres where provision is made for high quality digital facilities. The City Council will work with providers to deliver the expansion of high quality digital infrastructure throughout Oxford.

³ www.oxfordsmartcity.uk

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