

SUPPLEMENTARY PLANNING GUIDANCE
PLANNING AND PUBLIC ART

Summary of Representations	Observations and Recommendations of the Deputy Director (Planning & Community Strategy)
<p>The Thames Valley Police Crime Prevention Design Advisor for Oxfordshire considers mention should be made of consultation with the police when proposing a location for a work of art so that any anti-social behaviour activities such as vandalism or people congregating who have addictions to drugs or alcohol are considered.</p> <p>Fairview Homes Ltd Fairview requests that the requirement that all sites of 0.5 hectare or more should provide public art, which makes a significant contribution to the appearance of a proposed development or the character of the area, should conform to the guidance issued in ODPM Circular 05/2005 on Planning Obligations. The need for such provision should be applied on a site-by-site basis and planning obligations relating to landscape/public art should adhere to the five tests as stipulated in Circular 05/2005:</p> <ul style="list-style-type: none"> i) relevant to planning; ii) necessary to make the proposed development acceptable in planning terms; iii) directly related to the proposed development; iv) fairly and reasonably related in scale and kind to the proposed development; and v) reasonable in all other respects. <p>Fairview requests that the document recognises the impact that planning obligations in relation to; landscaping can have on the viability of development. as such, the following text should be included in the SPG:</p> <p style="padding-left: 40px;">“The Council will have regard to the impact of planning contributions such as requirements on the provision of public art on the viability of development. planning requirements for such types of provision will only be required where they are necessary to allow consent to be given for a particular development and that they are fairly and reasonably related in scale and kind to the proposed development and reasonable in all other respects.”</p> <p>George Wimpy UK Ltd object because the SPG assumes that a financial contribution will be paid to the LPD rather than an ‘in kind’ contribution and does not allow any flexibility. They suggest the process outlined in Section 8 be amended in accordance with Appendix A attached.</p>	<p>Agreed. The diagram in Section 8.0 current process of acquiring Percent for Art contributions be amended to include reference to consultation with the Thames Valley Police. Recommendation: Section 8, current progress of acquiring percent for art be amended to include reference to consultation with Thames Valley Police.</p> <p>Policy DC4 of the Local Plan sets out the basic criteria for the contribution to Percent for Art and this should be read in conjunction with Policy DC8 which was amended in the light of Circular 05/2005. The guidance in the SPG is consistent with both these policies and Circular 05/2005 and in these circumstances should not be changed. Recommendation: No change.</p> <p>It is agreed that the document be amended to take account of this comment which the Arts Development Officer considers could be a useful approach and which can be covered in the appropriate Legal Agreement. The Arts Development Officer has taken the opportunity to update the guidance in the light of recent experience and the suggested changes are set out fully in the attached document. Recommendation: Section 8.0 Current process for acquiring Percent for Art contributions be amended to update and take account of Arts Development Managers amendments.</p>